DEFENSE THREAT REDUCTION AGENCY
Scientific & Technical Review Information

PA CONTROL NUMBER: PA 10-680 (3 Dec 10) SUSPENSE: 30 Dec 2010

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DIVISION CHIEF / PHONE: DATE:

DIRECTORATE / DIRECTOR /PHONE John Byrd 767.5787 DATE: 12/2/10

ENTERPRISE / OFFICE / PHONE: DATE:

PUBLIC AFFAIRS: Richard M. Cole (DIR-PA) / J Caines DATE: 12/9/10

1. TTLE: African Security Challenges: Now and Over the Horizon Voices From CONTRACT NUMBER

ORIGINATOR Perry, Jen

2. TYPE OF MATERIAL: [X] PAPER [ ] PRESENTATION [ ] ABSTRACT [ ] OTHER

3. OVERALL CLASSIFICATION: [X] CONTRACTOR UNCLASS [X] PROJECT MANAGER UNCLASS

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"Distribution statement" Replace with complete Distribution statement A on Title page

Approved as amended 8 Dec 10

OPSEC REVIEW/DATE

4. MATERIAL TO BE: [X] Presented [X] Published Date Required:

Name of Conference or Journal:

Remarks: contd: the NGO Community. To be published on the ASCO website and distributed as needed.

DTRA Form 58 (Aug 10) (Adobe LiveCycle ES)

AFRICAN SECURITY CHALLENGES:

NOW AND OVER THE HORIZON

VOICES FROM THE NGO COMMUNITY

NOVEMBER 2010

A COMPENDIUM OF "THINK PIECES"

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Institute for Security Studies

Alan Bryden
Geneva Center for the Democratic Control of Armed Forces

Claudio Gramizzi
Saferworld

Jack Rendler
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Erin A. Weir and Patrick Duplat
Refugees International

Jennifer Perry
Defense Threat Reduction Agency

THE DEFENSE THREAT REDUCTION AGENCY
Advanced Systems and Concepts Office

Report Number ASCO 2010-030

African Security Challenges: Now and Over the Horizon

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November 2010

Defense Threat Reduction Agency
Advanced Systems and Concepts Office
Report Number ASCO 2010-030
DTRA01-03-D-0017, Task Order 0018-08-03

The mission of the Defense Threat Reduction Agency (DTRA) is to safeguard America and its allies from weapons of mass destruction (chemical, biological, radiological, nuclear, and high explosives) by providing capabilities to reduce, eliminate, and counter the threat, and mitigate its effects.

The Advanced Systems and Concepts Office (ASCO) supports this mission by providing long-term rolling horizon perspectives to help DTRA leadership identify, plan, and persuasively communicate what is needed in the near term to achieve the longer-term goals inherent in the agency's mission. ASCO also emphasizes the identification, integration, and further development of leading strategic thinking and analysis on the most intractable problems related to combating weapons of mass destruction.

For further information on this project, or on ASCO's broader research program, please contact:

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SECTION 1: BACKGROUND

On February 6, 2007, U.S. President George W. Bush directed the establishment of a new Combatant Command focused on Africa. The announcement of U.S. Africa Command (USAFRICOM) kindled a flurry of discussion amongst Africa watchers in Washington, DC and beyond. Debate largely centered on the implications of this announcement, the mission of the new Command, its location, and above all, how USAFRICOM actions would reconcile with those of other players in the region and whether the decision signified a militarization of U.S. policy in the region.

Irrespective of this debate, the establishment of the Command reflects several important changes in U.S. Government, particularly U.S. Department of Defense (DoD) perceptions about the importance of Africa to U.S. strategic interests. Previously, three geographic Combatant Commands (COCOMs) shared responsibility for Africa, a situation that sometimes resulted in fragmented action in the region. USAFRICOM's almost continent-wide responsibility allows the DoD to assume a comprehensive approach as it addresses security challenges on the continent, suggests an increasing recognition of the commonalities across African states and regions, and serves as an acknowledgement that many security concerns and obstacles, as well as their root causes and effects, transcend these physical boundaries. The Command's interagency component also suggests a greater recognition of the need for consistent coordination of U.S. activities to address these security challenges. The DoD is but one player in the region and must consistently work with other U.S. Government departments and agencies to support broader activities in the region when appropriate.

With this heightened interest and attention in mind, the Defense Threat Reduction Agency's Advanced Systems and Concepts Office (DTRA/ASCO) initiated a fundamental research assessment of African security challenges – what they are today and what they might be over the horizon. This assessment could be used to inform future planning and research for ASCO, and inform those U.S. Government players active in the region, including, but not limited to the newest form of DoD engagement, USAFRICOM.

Research Objective and Approach

It is important to note that the vision for this project at the outset was to study USAFRICOM's mission and structure and determine how these would affect the way that the Command addressed security challenges in the region. When it was determined that many conferences, workshops, and publications had already addressed this topic (coupled with the fact that the USAFRICOM mission and structure were still being refined as it stood up), the research team realized that a broader and more fundamental "challenges-centric" assessment was needed. Indeed, many players were rightly investigating the "nuts and bolts" of USAFRICOM and other U.S. engagement in the region (specifically how that might be affected by the stand-up of the new Command), yet few were conducting a comprehensive assessment of what security challenges those players might need to address today and in the future. The research team felt an "over the horizon" aspect was especially important and an area in which our research could inform future strategic planning.

The research objective was to define the major categories of security challenges in Africa today and explore possibilities for what they might be over the horizon. Using fundamental insights from academic and research experts, as well as the NGO community, to develop a better understanding

of those challenges, the research was intended to explore how the challenges intersect and identify their importance for U.S., especially USAFRICOM, activities and engagement on the continent. This research would provide a platform for further study of how the United States can address the identified challenges through various (and ideally coordinated) forms of engagement, including USAFRICOM.

To accomplish this objective, the research team performed academic literature and expert reviews to identify a large list of African security challenges with the recognition that there is some debate among experts on the challenge areas and their importance relative to one another. The team also surveyed U.S. Government strategic documents (including USAFRICOM mission and vision statements) to obtain a list of those challenges the government identifies as important. Eventually, this list was pared down to three broad categories of challenges and served as a foundation for an academic workshop at which the security challenges were discussed in October 2008.[1]

1. Transnational security issues
    a. Small arms/light weapons
    b. Maritime security
    c. Disease

2. Internal and regional conflict
    a. Border issues, spread of conflict, and peacekeeping
    b. Humanitarian assistance, refugees, and internally-displaced persons
    c. Rebels
    d. Post-conflict reconstruction issues

3. Potential flashpoints/future security challenges
    a. Weapons of mass destruction (WMD) and R&D developments
    b. Oil and natural resource competition and exploitation
    c. Terrorism and radical Islam
    d. China and other states

While the approach to the challenges selection was not scientific, the research team viewed this research project as a starting point and not an end point in the study. The workshop in October 2008 provided a foundation for more in-depth and specific discussions and research on major security challenges and their implications; it also pointed the research team to several issues involving government and academic debate. Additionally, it highlighted the need to consider various methodologies to discuss security challenges among these two groups to ensure effective discussion. Indeed, it was also widely understood that one study would not be enough to accurately and comprehensively capture the challenges that make up the African security environment.

After the October 2008 workshop, the research team selected six specific security challenges that would receive greater attention via in-depth academic working group discussion sessions and

[1] The list was pared down for both practical and budgetary reasons. That is, the research team needed to conduct a one day workshop with academic experts and therefore tried to select challenges that could be discussed within that timeframe, but that would also allow for broad participation among many types of experts. It also selected challenges of particular interest to the sponsoring organization (DTRA/ASCO) and incorporated some challenges that might not be viewed as important today, but that could dramatically affect the security landscape tomorrow.

analytic papers.[2] Participants at these working group discussions would focus on the current and possible future nature of a specific challenge, for example, small arms and light weapons, and how it might intersect with others. They would also preliminarily consider the implications of this challenge for U.S. engagement on the continent.

From February 2009 to February 2010, the team hosted working group discussions on weapons of mass destruction, small arms and light weapons, disease, displacement and militancy, food security and conflict, and departing slightly from previous research topics, challenges, issues, and approaches in improving African security through the use of non/less-than-lethal force.[3] Throughout these discussions it became clear that the non-governmental organization (NGO) community also had perspectives to bring to these discussions which may or may not mirror the perspectives of their academic counterparts. To that end, the research team commissioned five think pieces from members of this admittedly broad community to obtain that additional perspective on these issues.[4]

Nature of this Report

The NGO think pieces focused on: weapons of mass destruction, small arms and light weapons, disease (specifically HIV/AIDS due to the specialty of the author), displacement and militancy, and security sector reform.[5] This report offers those think pieces in full. However, readers should bear in mind that they represent the voice of one or two NGO workers on a specific security issue and not the entire community. Think pieces commissioned from other NGO representatives may have offered a different perspective.

Each author was asked to consider the following sets of questions in his/her think piece:

- How is this challenge manifesting itself in Africa today? How is it evolving? Which dimensions of the challenge need to be understood and addressed?
- What are some of the analytical and practical dilemmas facing the non-government community, including local civil society representatives, as it addresses the challenge?
- What principles should shape any plan to address this challenge over the near and long-term in Africa? Are there principles that apply to multiple African contexts and transcend particular situations?
- What issues must be considered when formulating government (including military)/non-government partnerships to address the challenge? Do such partnerships exist in the

[2] Reports from these academic working group discussion sessions are available as publically releasable documents.

[3] These topics were selected for several reasons. They were the subject of broad debate at the October 2008 workshop or similar events, of interest to the sponsoring organization and/or the U.S. Africa Command, and/or lacked extensive study within the U.S. Department of Defense.

[4] Because of the broad and far-reaching nature of this community and the fact that most representatives are actively working in the field, it was decided it would be most effective to obtain some insights from the NGO community was to commission think pieces from some of its representatives rather than host working group discussions. For the purposes of this project, an NGO representative was broadly defined as someone who engaged in field and/or publication work for a research and/or advocacy organization not affiliated with a particular government or university.

[5] An additional piece was slated to be completed on food security and conflict, but that think piece did not come to fruition. Additionally, due to the nature of NGO work, the research team thought it was more prudent to commission a paper on security sector reform, an issue heavily discussed in the previously mentioned academic working group discussion session on non/less- than-lethal force issues, rather than non/less-than-lethal force issues in and of themselves.

African context and what do they entail? What are the benefits and drawbacks of such partnerships? What is needed to make them effective (if they should exist at all)?

SECTION TWO:
OVERALL THREADS OF DISCUSSION

Specific Themes

The papers in this volume focus on five different security challenges: weapons of mass destruction (WMD), small arms and light weapons (SALW), disease (particularly HIV/AIDS), displacement and militancy, and security sector reform. Each author addresses the dimensions of the security challenges in a different way. Some use case studies while others center their papers on specific themes. Likewise, although every author examines issues associated with engaging on these challenges (particularly for civil society organizations) and, in some cases, considered "best approaches" for engagement, they do so in very different ways. Some focus on particular recommendations while others choose to simply lay out the issues at hand.

Amelia Broodryk's paper on **"Securing Chemical, Biological, Radiological, and Nuclear (CBRN) Materials in Africa"** stresses that although WMD issues do not rise to the level of other security challenges currently impacting African security, these emergent/potential issues need to be monitored. She suggests that one way African governments can be vigilant about these threats is to be active in those international activities which are aimed at countering and preventing them. She presents a snapshot survey of how African actors, both state and non-state, are engaging on these issues regionally and internationally.

With the exception of South Africa – a country defined by Broodryk as a good case study of WMD issues impacting African security that may not be translatable to other African contexts – she suggests there are considerable philosophical and practical challenges for most African governments to implement those actions necessary to be in compliance with international WMD legal regimes. Philosophical challenges include perceptions of the threat – including, but not limited to, whether it exists at all – while practical ones include the capacity/resources to implement actions to improve the security of CBRN materials and/or prevent the proliferation of CBRN materials across borders. While the WMD analytic community has placed much attention on which African states are participating in these international regimes, she suggests that simply counting the number of African states party to these regimes is insufficient.

Broodryk suggests that broader activities, such as those aimed at improving border security, may prove to be valuable in both addressing WMD threats as well as other threats that are more salient in many African contexts. She advocates for a greater role of civil society in participating in both these kinds of activities and those which are more WMD-specific. Although expertise and capacity issues abound for these organizations, there are several ways in which civil society organizations can be integrated into strategies and activities to address WMD issues in Africa.

Claudio Gramizzi's paper **"Small Arms and Light Weapons Proliferation, Accumulation, and Misuse in Africa- Manifestations of the Challenge and Central Dimensions for Effective Responses and Local Partnerships,"** concentrates on two dimensions of the SALW threat – proliferation and misuse of the weapons. Focusing the analysis on how the manifestations of proliferation challenges vary across African contexts, Gramizzi notes several common themes and demonstrates how these themes played out in three case studies: Somalia, the Democratic Republic of the Congo, and Uganda. Several issues to consider include the intersection between SALW proliferation and the emergence of terrorist groups, transnational organized crime and trafficking,

armed conflict and violence, extensions of political tensions, and high rates of insecurity due to crime. Not all of these issues are present in every African country dealing with SALW challenges, but are present in more than one.

He suggests that that although engagement strategies to address SALW problems in Africa should be context-dependent, they should be designed to be both participatory – that is, involve sustained activities by locals in the area – and address the supply and demand side dimensions of the challenge. Though there are international, national, and sub-regional activities to control SALW in the continent, in many contexts, there is a considerable gap between the verbal recognition that SALW proliferation and misuse is a problem in a given area and a real prioritization by the particular state to actually address it. Some of these issues, Gramizzi suggests, might relate to capacity and political will.

He broadly advocates for a greater role for civil society in working with those governments to address their SALW problems. In most cases, local civil society organizations are best suited for this role because of trust issues and their knowledge of the particular operating environment. However, current and past African examples suggest this coordination of government and non-government activity is fraught with challenges. Such challenges should not be under-emphasized, but every effort should be made to overcome them in particular contexts.

Jack Rendler's paper focuses on one particular disease affecting African security – HIV/AIDS. His paper, **"HIV and AIDS in sub-Saharan Africa: The Impact on Security and Stability,"** considers the African epidemic within the larger context of the global one. He suggests that the selection of approaches to address the security impact of HIV/AIDS needs to be grounded in an understanding of the scale of the epidemic in the region. Due to the sheer scale, national, regional, and localized efforts need to be implemented in tandem with one another.

Rendler briefly considers four security "impacts" of the epidemic including changing population dynamics, reverse economic development, political upheaval, and military disintegration. These impacts should be analyzed with an eye toward both the near and long-term. He cautions that engagement focusing only on one or two of these impact areas may result in less of a chance for overall success in combating the root causes and effects of the epidemic and prevent it from worsening.

Rendler also advocates for a multi-pronged engagement strategy that involves government, non-government, and military partners to address the security dimensions of the HIV/AIDS problem in Africa. He further suggests that currently the division of roles and responsibilities for these actors to address related issues may not be rational or appropriate to every African context in which there is engagement. Rendler suggests NGOs might continue to play a leading role in addressing the human security challenges associated with high rates of HIV/AIDS in the region but noted that it should not be assumed their activities are without challenges.

Erin Weir and Patrick Duplat's paper, **"Displacement in Africa: Manipulation and Militarization in the Context of Mass Displacement,"** briefly considers several contemporary examples of mass displacement in Africa, including the Sudan, Chad, and the Democratic Republic of the Congo and examines the way that the changing context of displacement in Africa impacts relates to the potential for current groups of refugees and internally-displaced persons (IDPs) to be militarized and/or be manipulated by armed groups.

They posit that refugee and IDP sites, and the vulnerable populations concentrated in them are particularly attractive targets for manipulation and militarization by armed actors. The protected nature of these sites, the material and human resources available within them, and the political prominence of displaced communities have all been manipulated, at one time or another, to serve the ends of armed groups. However, Weir and Duplat emphasize that it should not be assumed that every case of mass displacement in Africa will result in the manipulation and/or militarization, and that each case and context demands an individual assessments of the relative threat posed by armed actors, and the vulnerabilities of the displaced.

In order to prevent the unintended manipulation of humanitarian sites and assistance, Weir and Duplat emphasize the importance of strict adherence to humanitarian guidelines and standards that have been developed with this in mind. Likewise, every actor engaged in a humanitarian or protection response must think carefully about the most appropriate division of labor, and take on projects that are best suited to their capabilities and areas of expertise. For example, military personnel are best trained and equipped to contribute to the overall security of sites and the facilitation of humanitarian access, whereas humanitarian NGOs are best suited to manage and deliver humanitarian aid. Of note, many NGOs and government partners are working together to develop and share coordination guidelines which apply to mass displacement situations and humanitarian situations more broadly. Weir and Duplat advocate for a continued effort to ensure these guidelines are distributed and followed by all actors engaging in efforts to improve civilian safety and security in Africa.

Weir and Duplat further suggest that more effective policing in displacement sites, as well as the establishment of wide-area security by military actors can dramatically reduce the opportunities for armed actors to infiltrate refugee and IDP sites. Responsibility for civilian protection, however, lies first and foremost with the security institutions of the host state, which often require training support and additional equipment in order to fulfill their task. More generally, they suggest that the long-term development of strong security institutions in every region of Africa is necessary at in order to counter this potential for manipulation and militarization and to combat insecure conditions which generate displacement in the first place.

Alan Bryden's paper, **"Security Sector Reform in Africa,"** stresses that although security sector reform (SSR) is a valuable and necessary component to post-conflict reconstruction and peace-building efforts and is a steady focus of international programming in Africa, it should not be assumed that all African partners in every situation are enthused about the prospect of working with government and non-government partners to develop and implement these reforms. Every effort should be made to ensure African ownership of the programming while still ensuring that activities are both initiated and sustained.

Bryden suggests that although this general principle and possible tension applies in a variety of – if not all – African contexts, all programming needs to be tailored to the specific needs and capabilities of the African state in which the programming is being implemented. There is no blueprint solution that works for every context in Africa at every point in time, let alone globally. There are several good examples of how security sector reform can work in Africa (some of which he briefly discusses as sidebars in his paper), but one should be careful about tailoring lessons learned across particular situations.

Bryden asks readers to remember that people are a central part of these SSR activities and this can pose both opportunities and challenges. SSR needs to take place within the broader context of political reform and transition in order to be potentially long-lasting and effective. This applies globally. To this end, partnership is required in every situation in which SSR activities are implemented. Bryden emphasizes that this partnership is an area needing improvement at a global level.

Common Themes

Although each of the NGO think pieces included in this report offered insights on distinct security challenges, several themes emerged across the papers. The themes deal with contextual understanding, the value of civil society organizations as partners to improve African security, and the challenges associated with this engagement.

Among them are the need for those organizations, whether government or non-government, local or international, to be aware of the particular context in which they are engaging. No two African contexts are completely alike, and these contexts are dynamic. Although particular approaches to controlling the proliferation and misuse of small arms and light weapons, for example, may be productive across one or more African countries, it cannot and should not be assumed that every approach will work in every context. Blueprint solutions to security problems are almost never a good idea due to the diverse factors affecting security across the expansive continent.

Another common theme is the need for a greater recognition of the value of civil society organizations, especially local ones, in contributing to multi-partner activities to improve security in particular African contexts. While such organizations may not have all of the expertise and capabilities to lead such efforts, every effort should be made to include them, as appropriate, in strategies to improve stability and as agents to help implement them.

Such determinations of where these civil society organizations can engage on a particular situation (i.e. their roles and responsibilities) will be dependent on both capabilities of the organizations and what needs to be done, as with any organization – whether non-government, military, or government. These decisions will require an understanding of the security factors and development ones at play in a given situation. In many parts of Africa, there is a blurring of the lines between security and development concerns in unstable situations. Civil society organizations may be beneficial in helping address the development factors/issues at play in any security situation, which is required to improve the potential for long-term stability.

It could be said that partnering with such organizations, though sometimes difficult and more complicated than operating unilaterally, can allow for a greater potential to succeed in stabilizing a particular location. For instance, it is more likely that these organizations will have a higher level of knowledge of the local operating environment than those organizations that are just entering an area for the first time or are not going to be located in that area for a considerable amount of time. The local population may also trust these organizations much more than their own government organizations (especially in situations of weak governance) or international parties. This can improve the chances that the local population will cooperate and/or contribute to the activities to improve their security situation. The level of trust of the population depends both on the particular civil society organization and the external environmental factors at play within the situation.

Several authors noted that government/non-government partnerships, particularly those which involve local civil society organizations (where possible) can have an added local benefit. Leveraging the expertise of locals in executing activities to improve security will allow those local individuals/organizations to increase their capacity/capabilities to address security problems in their particular operating environment over the long-term. This may allow them to develop and sustain local activities to achieve long-term stability.

Another common theme was that although partnering with civil society is encouraged in responding to situations of instability and/or insecurity in Africa, such partnerships are not without challenges. Though each of the authors examined very different security challenges, each noted the role that resource availability, transparency and trust issues, ethical dilemmas, and access issues play in shaping the degree to which and how civil society organizations can effectively realize their potential to positively shape security situations. However, though these challenges exist, they should not deter attempts toward partnered engagement. The challenges need to be understood and ideally dealt with to the degree possible in any situation of partnered engagement. Awareness of their existence is a necessary first step.

Several authors noted that a lack of political will of governments, militaries, and other organizations to simply acknowledge the existence of these challenges for civil society (and even the potential to partner with such organizations) will likely hinder a potential for good and effective partnering to improve security in any location in Africa. A lack of a common perception of what the security situation is (including whether it exists), why it exists, and what needs to be done (and by whom) can also hinder effective partnerships.

SECTION THREE: SECURING CHEMICAL, BIOLOGICAL, RADIOLOGICAL AND NUCLEAR MATERIALS IN AFRICA

Amelia Broodryk, Institute for Security Studies[6]

Introduction

The African continent faces a myriad of security challenges at present, including the proliferation of small arms and light weapons, the alleviation of poverty, and the provision of basic goods and services such as food, housing, educational facilities and healthcare. The extent of these immediate challenges makes it difficult to argue that Africa should be more concerned about the threat of chemical, biological, radiological and nuclear (CBRN) weapons, and the security of CBRN materials on the continent. Although it may not be an immediate challenge, the changing global security context means that African states should remain vigilant and ensure that they remain part of the international discussion on CBRN material security.

Philosophical and practical challenges in Africa include the perception that weapons of mass destruction are a 'northern hemisphere' problem; that United Nations Security Council Resolution 1540 is an imposed obligation not necessarily applicable in an African context; small arms present a more urgent human security risk than radiological material in Africa' and, the 'safety' versus 'security' debate.

African participation in international legal regimes governing CBRN weapons and material has often been perceived as marginal. However, these perceptions often do not include an understanding of the African security context. A study of CBRN material security in Africa must include an acknowledgement of other sources of insecurity on the continent including conflicts over natural resources, inadequate border security, ungoverned spaces, and linkages with organized crime and terrorism networks. In addition, the lack of participation by African states in international CBRN forums is often a result of a lack of capacity and resources, rather than the non-prioritization of the issue.

This paper will address the central research question of how the challenge of securing CBRN materials on the African continent is currently being addressed by investigating existing and future activities undertaken by African governments together with the implementation support and compliance bodies of the various treaties governing the control of CBRN material, such as the International Atomic Energy Agency (IAEA), the Organization for the Prevention of Chemical Weapons (OPCW), the Biological Weapons Convention's Implementation Support Unit (ISU), the United Nations Security Council Resolution 1540 Committee, and the African Commission on Nuclear Energy (AFCONE) (yet to be established). This paper will also examine which dimensions of the challenge need to be understood and addressed and the principles that should shape any plan to address this challenge in the near and long-term future.

Given that many African states do not have the capacity to ensure and monitor the security of CBRN material in their respective countries, other actors, such as non-governmental organizations

[6] The author would like to acknowledge the research and editorial contributions made by Noël Stott, Senior Research Fellow, Institute for Security Studies.

(NGOs), who have the resources and expertise, could also play an important role in addressing this challenge. Thus, this paper will identify the analytical and practical dilemmas faced by NGOs in addressing the challenge of securing CBRN materials specifically drawing from the experience of African NGOs engaged in this field. In examining the potential role of African civil society in assisting to both change such perceptions and in providing the necessary tools for over-stretched African governments to better secure such materials, a particular challenge that will be addressed is the general suspicion by African governments about civil society's intentions - both international and domestic – which is exacerbated when African NGOs involve themselves in so-called 'security' matters.

South Africa has the most advanced chemical, biological and nuclear industries in sub-Saharan Africa, as well as the most comprehensive legislation aimed at preventing the misuse of such materials, therefore a brief South Africa case study will be included. This case study of South Africa will provide the reader with an understanding of South Africa's present control architecture including: the South African Government's general policy approach to CBRN weapons; the major instruments and regimes for disarmament, non-proliferation and arms control and the South African view of them; the regulation of non-proliferation of CBRN weapons capabilities in South Africa (for example legislation); and, the mandate and structure of the Non-Proliferation Council (NPC) and its sub-committees which implement national measures in line with South Africa's undertakings regarding the non-proliferation of weapons of mass destruction.

The conclusion and recommendations section of this paper will show that much more work can be done to improve the security of CBRN material on the African continent through the development of appropriate mechanisms that simultaneously address the developmental and safety concerns of African states. Although the threat posed by CBRN material may not be a high priority to the African continent at present, this situation may change in future and it remains important for the continent to engage constructively with the international community to ensure global security.

The Challenge

The present-day international security environment sets unprecedented challenges for preventing the spread of CBRN weapons and materials. There are suspicions that a number of armed non-state actors are actively seeking to acquire CBRN weapons or the material and technology required to produce them. In addition, the expansion of chemical, biological and nuclear technology, as well as the development of civilian nuclear energy capacity will in the future pose an increased challenge to current non-proliferation efforts.

Traditionally, African involvement in international CBRN disarmament and non-proliferation negotiations has been perceived as marginal. However, African countries cannot afford not to be concerned about non-proliferation and disarmament issues. In addition to reducing insecurity on the African continent, active participation in international negotiations by African states leading to global disarmament, will free up substantial resources that can be used for human and social development. Although there is a general perception that African states do not priorities participation in international legal regimes governing CBRN weapons and material, this conclusion is usually based on a 'northern hemisphere' understanding of CRBN security, which often ignores African priorities. In addition, a discussion of CBRN material security in Africa must acknowledge other sources of insecurity on the continent including porous borders and so-called ungoverned spaces.

In a Defense Threat Reduction Agency (DTRA) discussion report of April 2009, members of a working group concluded that it would be unfair to assume that African states are not concerned about CBRN security based on their lack of ratification and/or participation in international agreements.[7] African states have often contended that some of these agreements are not specifically applicable to their country, or that they lack the resources, expertise or capacity to join these treaties. African government officials have also argued that their countries are often faced with the task of ratifying a large number of other non-security related international conventions and have not had the time to ratify these specific instruments. Countries have also argued that they will not sign up to a treaty until they know they can implement it.

Ratifying a treaty or convention does not automatically imply that a country's CBRN material will be secured. Ratification is only one step of the process that also includes domestication of international laws and actual implementation of a particular treaty or convention. The challenge of securing CBRN materials in Africa is firstly the responsibility of African governments, and is secondly the responsibility of the implementation support and compliance bodies of the international instruments governing control of these materials.

In order to ascertain the present security situation, it is important to ascertain the status of African states in terms of their membership to these international instruments, and to look at present initiatives occurring on the continent. A complete list of ratifications and membership status' of African states in terms of the key international treaties and conventions that monitor CBRN weapons and materials is shown in Table 1 at the end of this paper.[8] The following sub-sections will firstly examine the security of biological and chemical materials and secondly explore the security of radiological and nuclear materials. Lastly, a sub-section on the challenge of securing materials from use by armed non-state actors is included. Each sub-section focuses on the key international instrument responsible for governing the relevant CBRN material and the current activities taking place on the African continent.

Securing Biological and Chemical Materials

Two key conventions exist that govern the security of biological and chemical materials. The first of these is the Biological and Toxin Weapons Convention (BTWC), and the second is the Chemical Weapons Convention (CWC). The level of implementation support and technical assistance provided by the respective implementation support bodies has largely determined the success of these two instruments. Generally, the CWC has been far more successfully implemented than the BTWC, due to the work of the well-resourced Organization for the Prohibition of Chemical Weapons (OPCW). Although the BTWC Implementation Support Unit (ISU) has done a tremendous amount of work with a staff of only three, the ISU does not act as an oversight body, which has led to stagnation in the progress of the treaty over the last few years.

[7] Jennifer Perry and Jennifer Borchard, African Security Challenges: Now and Over the Horizon. Weapons of Mass Destruction in Africa: Current and/or Future Threat? Working Group Discussion Report. Defense Threat Reduction Agency, 2009, 20.

[8] These instruments include the Biological and Toxin Weapons Convention (BTWC), the Chemical Weapons Convention (CWC), United Nations Security Council Resolution 1540 (UNSCR 1540) reporting and membership of the Forum of Nuclear Regulatory Bodies in Africa, the African Nuclear-Weapons-Free Zone Treaty (Treaty of Pelindaba), the Nuclear Non-Proliferation Treaty (NPT), the Convention on the Physical Protection of Nuclear Material, the International Convention for the Suppression of Acts of Nuclear Terrorism, and the OAU Convention on the Prevention and Combating of Terrorism.

The BTWC entered into force in 1975, and prohibits the development, production, acquisition, transfer, retention and stockpiling of biological and toxin weapons. 35 African countries are currently States Parties, eight are signatories[9], and ten counties[10] have neither signed nor ratified the BTWC. Biological weapons control does not feature prominently on national, regional and continental African agendas as they are not considered a primary threat on the continent. A further reason is that African countries are offered very few incentives to actively participate in the BTWC process, and the fact that the treaty remains unenforceable only entrenches the idea that it is unnecessary to develop new legislation to monitor and regulate the movement of biological agents.[11]

Any discussion about biosecurity in the African context needs to be informed by the fact that scientific research and diagnostic facilities remain under-resourced and under-developed on the continent. While no comprehensive audit has been conducted to determine the number of laboratories in Africa, the laboratories that do exist often have insufficient biosafety measures. In addition, most health facilities in Africa are ill-equipped to manage large-scale disease outbreaks, and the rapid spread of disease remains a far bigger threat than the possibility of a bioterrorist attack.[12] Improvement of biosafety procedures, rather than sophisticated and expensive biosecurity-related infrastructure, is a pressing priority for the continent. There is recognition of the need to develop and strengthen the capacity, both human and infrastructural, for life sciences research and diagnosis and to improve the safety practices at laboratories across the continent through the formulation of policy and legislation.[13] Many African scientists, once aware of potential security problems, recognize the importance of measures to reduce the risk associated with dual-use research and express their support for the development of appropriate oversight mechanisms. However, continued effort must be made to educate and sensitize policy makers, regulators, scientists and technical workers in this regard.[14]

Although the Food and Agricultural Organization (FAO) and the World Health Organization (WHO) often organize biosafety and biosecurity training workshops in Africa, these often only target a select audience of scientists or laboratory workers in a certain region. These activities are largely uncoordinated on the continental level, with seemingly little progress being made towards achieving the biosecurity and biosafety goals of the BTWC. In addition, the BTWC ISU does not currently have the capacity to address all the demands for assistance from African states. Given their small budget and staff, the ISU has only been able to host a small number of meetings in Africa, predominantly focusing on universalization of the Treaty.

Aware of the challenge of the ISU's limited financial and human resources, the BioWeapons Prevention Project (BWPP), a civil society network, hosted three workshops in East and Southern Africa between 2006 and 2008 focusing on identifying an African stake in the BTWC and addressing

[9] Burundi, Central African Republic, Côte d'Ivoire, Egypt, Liberia, Malawi, Somalia and the United Republic of Tanzania.
[10] Angola, Cameroon, Chad, Comoros, Djibouti, Eritrea, Guinea, Mauritania, Mozambique and Namibia.
[11] Amelia du Rand, Ship Without Sails. ISS Paper 171, October 2008, 4-5.
[12] du Rand, Ship Without Sails, 5
[13] Noel Stott, Amelia du Rand and Dominique Dye, Africa's Policy Imperatives, Issue 2, June 2010, accessed 3 August 2010, http://www.keepandshare.com/doc/2020725/june2010policybriefissue2-pdf-june-28-2010-2-10-pm-597k?da=y.
[14] Stott, du Rand and Dye, Africa's Policy Imperatives, 3

the specific needs of the continent concerning biological weapons safety and security.[15] Although the meetings generated interest and enthusiasm amongst African participants, no funding has been forthcoming for follow-up meetings. Therefore, it appears as if the responsibility for carrying the biosecurity and biosafety agenda forward may rest with African states themselves, most likely in the form of regional and sub-regional cooperation.

At present, sub-regional bodies such as the Southern African Development Community (SADC), the East African Community (EAC) and the Economic Community of West African States (ECOWAS), and regional bodies such as the African Union (AU) primarily focus on biosafety and biotechnology. The AU, in partnership with the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), has a biosafety project that provides the AU with the necessary capacities and effective instruments to support its member states in implementing the Cartagena Protocol on Biosafety and the African Model Law on Safety in Biotechnology. Project activities include the establishment of a high-level African panel on biotechnology and capacity building for an Africa-wide biosafety system.[16] The progress of this project appears to be slow, which is understandable given that the AU needs to address a myriad of priority areas such as conflict resolution, peacekeeping and peace building.

Although regional and sub-regional bodies acknowledge that a bioterrorist attack is conceptually possible on the continent, their focus remains on the ways in which biotechnology can contribute to Africa's socio-economic development and improve the lives of ordinary citizens. Biological weapons may not threaten Africa at present, but issues surrounding biosafety and the development of biotechnologies certainly have a security impact on the continent. It is important that African states continue to encourage regional and sub-regional bodies such as the AU, SADC, the EAC and ECOWAS, in addition to states parties to the BTWC, to develop policies and strategies that support national legislation aimed at regulating bio-industries and preventing future 'bioterrorist' acts.[17]

Compared to the slow progress of the BTWC over the last 30 years, the Chemical Weapons Convention has achieved far more in the 13 years since it came into force on 29 April 1997. The CWC represents the world's first multilateral disarmament agreement providing for the elimination of an entire category of weapons of mass destruction within a fixed timeframe. The CWC obliges States Parties not to develop, produce, acquire, stockpile, transfer, use or prepare to use chemical weapons. The convention also requires the destruction of all chemical weapons and chemical weapons production facilities owned or controlled by a State Party, as well as the destruction of chemical weapons abandoned by a State Party on the territory of another State Party.[18]

There are currently 50 African countries that are States Parties and three (Angola, Egypt and Somalia) that are non-signatory states to the CWC. This near universalisation is largely due to the numerous co-coordinating activities of the OPCW and, more specifically, as a result of the Memorandum of Understanding on Co-operation between the Technical Secretariat and the Commission of the African Union. The Memorandum seeks to enhance co-operation between the

[15] Amelia du Rand, Building Stakeholdership in Support of Malawi's Ratification of the Biological and Toxin Weapons Convention Report on Meeting, Arms Control: Africa, Volume 1 Issue 3, July 2008.
[16] "Support to the AU in the Matters of Biosafety", accessed 23 September 2010, http://www.africa-union.org/root/au/auc/departments/hrst/biosafety/AU_Biosafety.htm
[17] du Rand, Ship Without Sails, 11
[18] Stott, du Rand and Dye, Africa's Policy Imperatives, 4

two Organizations to implement the CWC and to achieve universality in Africa, in accordance with the decision adopted by the Heads of State and Government of the African Union at Durban, South Africa in July 2002 (Decision AHG/Dec.182 (XXXVIII)).[19]

The creation of an OPCW 'African Group' and a specific Programme for Africa has enabled African states to plan regular meetings on the continent on topics that are relevant to them.[20] The OPCW frequently hosts events in Africa, ranging from a regional meeting of CWC National Authorities in October 2009, to a sub-regional training workshop for Southern and East African customs officials in April 2010. In September 2010, the OPCW arranged two key meetings in South Africa and Namibia respectively, including the Sixth Regional Assistance and Protection Course for African States Parties and the Eighth regional meeting of national authorities of states parties in Africa. The OPCW has also planned three regional training courses in Ethiopia, Burkina Faso and Tanzania before the end of 2010.[21]

Although Africa's experience with chemical weapons is on the whole rather limited in comparison to other regions such as North America and Europe, four African countries have in the past allegedly been involved in the development of chemical programs for either offensive or defensive purposes, namely South Africa, Libya, Egypt and Sudan. For this reason, it is very important that African states remain involved, both directly and indirectly, in the global debate about chemical weapons proliferation, in order to ensure that the issue does not fall off the continent's security agenda.[22]

Libya had a biological and chemical weapons research and development program that had the potential to produce small amounts of agents. In 2003, however, Colonel al-Qadhafi stated that Libya would give up its biological and chemical weapons programs and Libya acceded to the CWC in 2004. The United States is currently assisting Libya with the destruction of its chemical weapons stockpile. However, the task is costing more than anticipated and the U.S. Department of Defense cannot afford such an expensive undertaking, especially as the United States has its own stockpile to destroy.[23] In the light of this and other constraints, Libya requested an extension of its 29 April 2007 deadline, which was granted. The country now has until May 2011 to destroy its entire Schedule 1 chemical weapons stockpile. Schedule 1 includes chemicals that have been or can easily be used as weapons and which have very limited, if any, peaceful uses. Libya also pledged to destroy all of its Schedule 2 weapons[24] by 31 December 2011, and has already destroyed over 37 percent in this category, as well as 100 percent of its Schedule 3[25] chemical weapons stock.[26]

[19] Stott, du Rand and Dye, Africa's Policy Imperatives, 4
[20] Stott, du Rand and Dye, Africa's Policy Imperatives, 4
[21] "Africa and the OPCW", accessed 18 August 2010, http://www.opcw.org/regional-focus/africa/
[22] Emmanuel Abalo, An Account Of Chemical And Biological Weapons In Some African Countries: Potential for Acquisition and Usage, The Perspective, May 3, 2006.
[23] M Nguyen, Libya chemical weapons destruction costly. Arms Control Today, May 2006.
[24] Schedule 2 chemicals include those that are precursors to, or that in some cases can themselves be used as weapon agents, but which have a number of other commercial uses.
[25] Schedule 3 chemicals include those that can be used to produce or be used as chemical weapons, but which are widely used for peaceful purposes.
[26] "The chemical weapons ban: facts and figures", accessed 31 August 2010, http://www.opcw.org/factsandfigures/index

As of 30 October 2009, 96 percent of African States Parties have National Authorities, and 22 percent have implementing legislation covering all key areas of the CWC.[27] The increased activity of the OPCW in Africa has not only ensured that the CWC is far better implemented than the BTWC, but has also enhanced the security of dual-use chemicals on the African continent. Despite the successes of both the BTWC and CWC, there is a perception that the two conventions are not adequately addressing the concerns of developing states, especially in Africa. It is vital that a balance be found between ensuring that biological and chemical materials are secure and that the development needs of African states, through the use of science and technology, are met.

Securing Radiological and Nuclear Materials

The international nuclear security regime faces a greater number of challenges when compared to the global nuclear safety regime. These challenges include "fewer treaties, a less widely accepted set of recommended security principles and practices, and little collaboration between nuclear plant operators worldwide."[28] The Washington Nuclear Security Summit held on 12 – 13 April 2010 produced a work plan consisting of a number of (voluntary) steps that should be taken to ensure the safe "storage, use, transportation and disposal of nuclear materials and in preventing non-state actors from obtaining the information required to use such materials for malicious purposes".[29] The work plan makes reference to a number of international instruments, including International Convention for the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material, and United Nations Security Council Resolution (UNSCR) 1540.

It is interesting to note that only three African states – Egypt, Nigeria and South Africa – were invited to attend the 2010 Nuclear Security Summit. This is probably due to their respective experiences in the nuclear field. These three countries could also be considered leaders in the field of nuclear technology in their respective regions, and therefore could be influential in determining how this technology is managed on the African continent. The International Atomic Energy Agency (IAEA) has identified a number emerging nuclear energy states including Algeria, Ghana and Namibia.[30] In addition, as more African states are publicly announcing that they are considering nuclear energy, such as Kenya, Nigeria, and Tanzania, the security of radiological and nuclear material is steadily becoming more prominent.

African states are party to a number of treaties and conventions that contribute to the global nuclear security framework. These include the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the African Nuclear Weapon-Free-Zone Treaty (Treaty of Pelindaba), the Convention on the Physical Protection of Nuclear Material, the International Convention for the Suppression of Acts of Nuclear Terrorism, UNSCR 1540 and the OAU Convention on Prevention and Combating of Terrorism (Algiers Convention).

[27] "Africa and the OPCW", accessed 18 August 2010, http://www.opcw.org/nc/news/article/opcw-director-general-visits-morocco-for-7th-regional-meeting-of-cwc-national-authorities-in-africa/

[28] Trevor Findlay, The Future of Nuclear Energy to 2030 and its Implications for Safety, Security and Nonproliferation: Part 3 – Nuclear Security. CIGI, 2010.

[29] The White House Office of the Press Secretary, Work Plan of the Washington Nuclear Security Summit, 13 April 2010.

[30] African emerging nuclear energy states identified by the IAEA include Algeria, Egypt, Ghana, Kenya, Libya, Morocco, Namibia, Nigeria, Senegal and Tunisia.

African States played a significant role in the recent Treaty on the Non-Proliferation of Nuclear Weapons 2010 Review Conference, which took place from 3 – 28 May. Attended by virtually all African Union members, a number of African States made opening statements to the NPT Review Conference, in which they set out their positions, including: Algeria, Botswana, Burkina Faso, Cameroon (on behalf of the Africa Group), Congo, Egypt, The Gambia, Ghana, Kenya, Libya, Morocco, Mozambique, Namibia, Nigeria, Senegal, South Africa, Sudan, Tanzania, Tunisia, Uganda, Zambia, and Zimbabwe.

While most African states attend NPT conferences, their active involvement has, in the past, been minor as the continent strives to cope with what may be regarded as more pressing and immediate concerns, namely: the alleviation of poverty, the provision of educational facilities and health care, and the illicit trade in small arms and light weapons. The NPT is, however, of vital importance given the developmental and security imperatives facing Africa and African countries need to engage positively and effectively in the NPT's Review cycles.

The adoption of a Final Document, while not meeting all of Africa's expectations, was seen by many African States as a significant achievement in maintaining the three pillars of the NPT namely, to prevent the spread of nuclear weapons and weapons technology; further the goal of nuclear disarmament; and, promote co-operation in the peaceful uses of nuclear energy. The final document also reaffirms non-nuclear weapon states' inalienable right to pursue peaceful uses of nuclear energy in terms of Article IV of the Treaty. Most importantly for Africa, the final document states that developing states should be given preferential treatment in this area. The final document made reference to the role of the IAEA in fostering international cooperation in nuclear security, as well as in "establishing a comprehensive set of nuclear security guidelines, and in assisting Member States, upon request, in their efforts to enhance nuclear security."[31]

As a means to further nuclear science and technology for African development, the IAEA and its African member states established the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (AFRA) in 1990. AFRA is an important initiative given that is "seeks to maximize the use of the available infrastructure and expertise in Africa and assists countries to move toward regional self-sufficiency using peaceful applications of nuclear techniques".[32] Nuclear security and radiation and waste safety is one of AFRA's six thematic focus areas, which also includes human health, food and agriculture, water resources, sustainable energy development and industrial applications. AFRA's nuclear security project, in support of the implementation of the IAEA's Nuclear Security Plan (2006-2009) ended in June 2010. The objective of the project was to increase "national awareness and capacities in targeted African countries for the prevention, detection and response to malicious acts involving nuclear and other radioactive materials or facilities" and the "illicit trafficking in nuclear and other radioactive material."[33] From 2007 to 2010, the project hosted five regional training courses with participants from 33 African countries.[34] The outcomes of the five regional courses included member states' understanding of:

[31] "Draft Final Document", NPT/CONF.2010/L.2, 27 May 2010
[32] Mickel Edwerd, Development of a Continent. IAEA Bulletin 51-1, September 2009
[33] "IAEA-TC Project Datasheet", RAF/9/036, accessed 12 August 2010, http://www-tc.iaea.org/tcweb/projectinfo/projectinfo_body.asp
[34] Algeria, Benin, Botswana, Burkina Faso, Cameroon, Central African Republic, Chad, Cote d'Ivoire, Democratic Rep. of the Congo, Egypt, Ethiopia, Gabon, Ghana, Kenya, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali,

- obligations related to combating malicious acts involving nuclear and other radioactive materials as described in the relevant international instruments;
- the need for nuclear security infrastructure within a country;
- the need for effective mechanisms to prevent malicious acts involving nuclear and other radioactive materials;
- the need for effective detection systems at border crossings and other 'choke' points;
- the need for effective response mechanisms, both locally and nationally, to ensure that the detection of any unauthorized nuclear and other radioactive material is responded to in such a way so as to protect people, the environment and society from the effects of nuclear terrorism, and to ensure that any evidence necessary for successful prosecution of perpetrators is properly protected; and,
- the need to have a systematic process for human resource development in the area of nuclear security in order for the State to effectively combat nuclear terrorism.[35]

Another significant African initiative is the Forum of Nuclear Regulatory Bodies in Africa (FNRBA). The FNRBA was launched in December 2009. The FNRBA was formed in response to the increasing use of radioactive material in peaceful nuclear applications such health, agriculture and energy.[36] There are currently 28 African countries that are part of the forum.[37] According to IAEA Deputy Director General Tomihiro Taniguchi, the launching of the FNRBA "is a very positive step in strengthening nuclear safety and security in Africa."[38] The challenges that the FNRBA will need to overcome include upgrading Africa's legislation and regulatory frameworks, promoting education training and managing the recent increase in uranium mining on the African continent. The work of the FNRBA will complement the work of the IAEA's Nuclear Security Programme in Africa.[39]

Perhaps the most important example of Africa's commitment to a world free of nuclear weapons is the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), which was finalized at a meeting of experts in South Africa in 1995, and approved by African Heads of State on 23 June 1995. The Treaty declares Africa a zone free of nuclear weapons and provides for the promotion of co-operation in the peaceful uses of nuclear energy; requires complete nuclear disarmament by African states; and enhances both regional and global peace and security. As an important step towards strengthening the non-proliferation regime, the Treaty of Pelindaba seeks to ensure that nuclear weapons are not developed, produced, tested, or otherwise acquired or stationed anywhere on the African continent or its associated islands.[40]

Twenty-eight ratifications and deposits were needed to bring the Treaty of Pelindaba into force, which occurred in July 2009. As of 1 October 2010, all 53 African states, as well as the territory known as the Sahrawi Arab Democratic Republic have signed the Treaty, and 30 countries have deposited their instruments of ratification with the African Union Commission/Authority (the

Mauritania, Morocco, Namibia, Niger, Nigeria, Senegal, Seychelles, Sierra Leone, South Africa, Sudan, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe

[35] "IAEA-TC Project Datasheet", RAF/9/036

[36] "Africa Takes Nuclear Safety Stage", IAEA Staff Report, 17 December 2009.

[37] See Table 1 for the complete list.

[38] "Africa Takes Nuclear Safety Stage"

[39] "Africa Takes Nuclear Safety Stage"

[40] Stott, du Rand and Dye, Africa's Policy Imperatives, 2-3

Treaty Depository). Under Articles 12 and 14, the African Union, as the Treaty Depository, was mandated to arrange a first Conference of Parties at which the composition, location and role and functions of African Commission on Nuclear Energy (AFCONE) would be finalized, and at which matters such as the Commission's budget and the scale of assessment to be paid by the State Parties should be agreed. The First Conference of States Parties took place on 4 November at the AU Headquarters in Addis Ababa. Participants endorsed the 1996 Cairo Declaration and agreed that South Africa would host the headquarters of AFCONE.[41]

The Treaty of Pelindaba contains specific provisions for ensuring the physical security of nuclear materials. Under Article 10 of the Treaty, states parties are legally obliged to maintain the "highest standards of security and effective physical protection" of nuclear materials, facilities and equipment. Each party also undertakes to apply measures of physical protection equivalent to those provided for in the Convention on the Physical Protection of Nuclear Material and IAEA security guidelines.[42]

During a workshop hosted by the Institute for Security Studies and the United Nations Regional Centre for Peace and Disarmament (UNREC) in March 2010, delegates argued that the fact that some countries have not yet ratified Pelindaba does not mean that there is no political will to do so. On the contrary, there was consensus that all African states are committed to their nuclear disarmament and non-proliferation obligations and that it was highly unlikely that this commitment would be rolled-back. Possible reasons for non-ratification include lack of knowledge and capacity, stretched staff, prioritization of other issues (such as poverty alleviation) and other treaties that are seen as being of more importance in the African context (such as those prohibiting the manufacture, use, stockpiling of anti-personnel landmines and cluster munitions and the United Nations Programme of Action on Small Arms).[43]

The Treaty of Pelindaba is an important African initiative, and once AFCONE is operational, African states will have more control over the development of nuclear projects on the continent, which should also ensure increased security of radioactive material. AFCONE could potentially become the continent's nuclear security hub, which could assist states with the implementation of other international nuclear security instruments, including the Convention on the Physical Protection of Nuclear Material. As the only internationally legally binding instrument relating to the physical protection of nuclear material, the Convention on the Physical Protection of Nuclear Material establishes measures associated with the "prevention, detection and punishment of offenses relating to nuclear material".[44] As of 1 October 2010, 34 African states have ratified or acceded to the Convention.[45]

In an effort to strengthen the existing international non-proliferation regime, the United Nations Security Council adopted Resolution 1540 in April 2004. The resolution, which is legally binding on

[41] Amelia Broodryk and Noel Stott, Making progress towards the establishment of the African Commission on Nuclear Energy. Miner's Choice, Volume 3, Issue 11, November 2010.
[42] Trevor Findlay, The Future of Nuclear Energy to 2030 and its Implications for Safety, Security and Nonproliferation: Part 3 – Nuclear Security.
[43] Amelia Broodryk and Noel Stott, Africa and the Nuclear Non-Proliferation Treaty 2010 Review Conference: Consolidated Report of Three Preparatory Workshops 2009-2010. Institute for Security Studies, 2010.
[44] "International Conventions & Agreements: Convention on the Physical Protection of Nuclear Material", accessed 30 August 2010, http://www.iaea.org/Publications/Documents/Conventions/cppnm.html
[45] See Table 1

all UN member states and therefore on all African states, aims to prohibit states from providing any form of support to non-state actors who attempt to acquire or produce weapons of mass destruction. It compels states to implement and enforce effective measures in their national legislation to prevent non-state actors from being able to develop, acquire, manufacture, possess, transport, transfer or use any type of CBRN and/or related materials.

While many African countries have expressed support for 1540, as of 1 October 2010, only 27 African states have submitted required reports to the 1540 Committee on progress made in implementing the provisions of the resolution. Most of the reports do not contain much detail also suggesting either that implementing the resolution is not a high priority in Africa or that some African States do not have the capacity to fill in complicated forms or that there is simply "reporting fatigue". Most African countries have small "disarmament and non-proliferation" departments and the number of reports that need to be compiled and submitted to various UN bodies is increasing. Non-reporting or late reporting then, should not be seen as a lack of political will or of non-implementation of international commitments and obligations.

Many of the African States that have submitted a report state that they do not possess any type of CBRN weapon and therefore could not assist non-state actors in acquiring them. Countries have also listed existing national legislation that broadly pertains to 1540 requirements; however, much of the legislation listed is outdated and insufficient to effectively deal with contemporary CBRN threats. Generally, border controls on the continent are notoriously weak and porous, and while some reports indicate that sufficient border controls are in place, it is unlikely that these controls (which were put in place largely to curtail the illicit trafficking of small arms and other illegal substances) are sufficient for preventing the proliferation of chemical, biological or nuclear weapons, or their agents and components. This is primarily because CBRN agents are often more difficult for customs officials to identify, especially if they have not received training in identifying these agents. In addition, customs officials often have to do physical searches because scanning equipment or radiation detectors are not available. Although bodies such as the OPCW and AFRA have conducted training courses for customs officials in Africa, more resources are needed to really standardize this process throughout the continent.

More focus on implementing 1540 is needed in Africa particularly as a number of countries are actively considering nuclear energy programs and will need to develop effective control systems over raw and processed nuclear materials. Furthermore, the development of more effective border controls to this end could further contribute towards curbing the illicit small arms and drug trade.[46] Although the 1540 Committee has hosted a number of regional workshops on the African continent to assist states with implementation and reporting, such as in Kenya in February 2010, more work needs to be done to assist African states with meeting the demands of the Resolution.

As an important part of the global counter-terrorism framework, the International Convention for the Suppression of Acts of Nuclear Terrorism imposes an obligation on State parties to "establish the offences within the scope of the Convention as criminal offences under their national laws and to make these offences punishable by appropriate penalties, which take into account their grave nature".[47] The Convention also imposes the obligation to "establish jurisdiction, territorial as well as

[46] Stott, du Rand and Dye, Africa's Policy Imperatives, 4

[47] "The International Convention for the Suppression of Acts of Nuclear Terrorism", accessed 18 August 2010, http://untreaty.un.org/cod/avl/ha/icsant/icsant.html

extra-territorial, as may be necessary, over the offences set forth in the Convention."[48] Thus far, only 13 African states have ratified the Convention and 20 have signed it. A key reason why this Convention has not been as successful on the continent could be because African states do not perceive nuclear terrorism to be a pressing threat to the continent. However, due to the increased interest in incorporating nuclear energy and technology into their domestic development strategies, African states will have to ensure that the materials used in these types of applications are not diverted to armed non-state actors. Although nuclear terrorism may not be perceived as a threat in Africa, other forms of terrorism certainly are, and African states have shown their commitment to various international and regional agreements.

An example of a continental counter-terrorism strategy in Africa is the OAU Convention on Prevention and Combating of Terrorism (Algiers Convention), adopted by the 35th Ordinary Session of the Assembly of Heads of States and Government in Algiers, in 1999. The Convention makes provision for fostering co-operation amongst member states, with a particular emphasis on the exchange of information on terrorist groups and their finance networks.[49] The Convention entered into force on 6 December 2002. At present, 40 African states have deposited their instrument of ratification and a further nine countries are signatories to the Convention. A Protocol to the Algiers Convention opened for signature at the AU (successor to the OAU) in Addis Ababa on 2 July 2004. The main aim of the Protocol is to enhance the effective implementation of the Algiers Convention. It also outlines the "need to coordinate and harmonize continental efforts in the prevention and combating of terrorism in all its aspects, as well as the implementation of other relevant international instruments."[50] As of 1 October 2010, only nine Africa states have ratified the Protocol to the Convention, which will only enter into force thirty days after the deposit of the fifteenth instrument of ratification.[51]

Interestingly, the Algiers Convention only briefly makes mention of the 1979 Convention on the Physical Protection of Nuclear Material, and the document does not mention nuclear terrorism at all. This could be an indication that, at the time of the drafting of the Convention, the then OAU did not consider nuclear terrorism to be a great threat to the African continent. This approach has not really changed over the past 11 years; however, the predicted increase in peaceful use of nuclear energy and technology, including the mining of uranium, in Africa may compel the AU to include more references to the possible threat of nuclear materials and weapons. As discussed earlier, the Treaty of Pelindaba and its African Commission on Nuclear Energy may be the ideal instrument to monitor nuclear security trends on the continent.

South Africa as a Case Study

South Africa is the most-researched African WMD case study given its unique history. Although there are important lessons to be learned from the South Africa case study, too much emphasis

[48] "The International Convention for the Suppression of Acts of Nuclear Terrorism".
[49] Organisation of African Unity, OAU Convention on the Prevention and Combating of Terrorism, 1999, accessed 15 August 2010, http://untreaty.un.org/English/Terrorism/oau_e.pdf.
[50] African Union, Protocol to the OAU Convention on the Prevention and Combating of Terrorism,, 2002, accessed 15 August 2010, http://www.africa-union.org/root/au/Documents/Treaties/Text /The%20Protocol%20on%20Terrorism%2026July2004.pdf.
[51] African Union, List of Countries which have Signed, Ratified/Acceded to the OAU Convention on the Prevention and Combating of Terrorism, 2005, accessed 15 August 2010. http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/List/Conv ention%20on%20the%20Elimination%20of%20Terrorism.pdf.

should not be placed on the applicability of this case study for other African countries. South Africa does, however, make a unique contribution to the field of disarmament and non-proliferation given that the country relinquished its nuclear program.[52] South Africa is the only African state to have ratified all the international agreements listed in Table 1 at the end of this paper, including the CWC, BTWC, the NPT and the Treaty of Pelindaba. The country also boasts the most advanced disarmament and non-proliferation legislation on the African continent, and is often consulted to assist other African states with drafting and implementation of their legislation.

South Africa's national policy on disarmament and non-proliferation follows a holistic and balanced approach in order to ensure that the control measures put in place to protect countries from CBRN weapons and material, do not prevent developing states from "obtaining access to advanced technologies which they require for their development."[53] Overall, South Africa supports a multilateral approach to CBRN security. Through supporting existing multilateral instruments, South Africa believes countries can achieve a more balanced security, whilst still facilitating peaceful use of potentially sensitive technologies.

In order to concretize its policies and commitments, South Africa established the South African Council for the Non-Proliferation of Weapons of Mass Destruction (NPC). The NPC controls the transfer of dual-use goods according to South Africa's responsibilities as a signatory to the International Missile Technology Control Regime (MTCR). The NPC also administers the Non-proliferation of Weapons of Mass Destruction Act (No. 87 of 1983) and its associated amendments and regulations.

According to the NPC, South Africa's legislation on the non-proliferation on CBRN weapons is reviewed regularly in accordance with national and international developments. Specifically, South Africa prohibits the following activities with respect to CBRN:

- The conduct of nuclear explosions and tests in South Africa
- Any person, whether for offensive or defensive purposes, to be or become involved in any activity or with goods that contribute to Weapons of Mass Destruction programs
- Any person to be or become involved in any dual-use goods or activities that could contribute to WMD: with countries, individuals, groups, undertakings and entities subject to restrictions imposed by the United Nations Security Council acting under Chapter VII of the United Nations Charter; and with countries, individuals, groups, undertakings and entities involved in international terrorism, including non-State actors.[54]

Given that it is a uranium-producing country, South Africa is a member of the Nuclear Suppliers Group (NSG). This forum seeks to contribute to the non-proliferation of nuclear weapons through the implementation of guidelines governing the export of items specifically designed for nuclear use, such as nuclear material, reactors, and equipment for the reprocessing, enrichment and conversion

[52] For an in-depth discussion of South Africa's WMD history, consult Helen E. Purkitt and Stephen F. Burgess, South Africa's Weapons of Mass Destruction, Bloomington, Indiana: Indiana University Press, 2005.
[53] South African Council for the Non-Proliferation of Weapons of Mass Destruction (NPC), Policy: National Policy on Non-Proliferation, Disarmament and Arms Control, accessed 11 August 2010, http://www.thedti.gov.za/nonproliferation/policy.htm
[54] South African Council for the Non-Proliferation of Weapons of Mass Destruction (NPC), Policy: National Policy on Non-Proliferation, Disarmament and Arms Control

of nuclear material. A second set of guidelines governs the export of nuclear related dual-use items and technologies. Therefore, the Group aims to facilitate the trade in nuclear material while at the same time ensuring that this trade does not contribute to the proliferation of nuclear weapons.

South Africa continues to take its commitment to nuclear security very seriously and this is evidenced by the country's participation in international and regional fora. In a statement to the 54th Regular Session of the IAEA General Conference that took place in September 2010, South African Ambassador Abdul Samad Minty reaffirmed South Africa's commitment to nuclear security and acknowledged progress made in this area so far. However, he urged that the issue of nuclear security "ought to be considered in all its aspects and not through placing more emphasis only on nuclear terrorism."[55] Minty also stated that the National Nuclear Regulator (NNR) of South Africa is in the process of finalizing a "nuclear security framework which will be integrated into the safety culture of operators."[56]

South Africa is an interesting case study and certainly presents an example for other African states with regards to ratifying international agreements and developing national legislation. However, the country has a unique CBRN history, and some issues cannot be translated to other African cases. The development of CBRN material safeguards should be done on a case-by-case and/or regional basis, involving governments as well as bodies such as AFRA and the IAEA. In addition, African civil society organizations could potentially become far more involved in ensuring that CBRN materials are safely secured in their countries.

The Role of NGOs

The role of NGOs in the area of CBRN material security is often contentious, given the sensitive nature of not only the materials themselves, but also information regarding the quantity and location of these materials. In addition, the security of CBRN material is considered the sole responsibility of states and therefore, civil society organizations are often excluded from discussions and decision-making processes. Understandably, states do not want to share sensitive information and technologies in case armed non-state actors gain access to these with the intention of using or sharing the materials to make a weapon.

The South Africa-based Institute for Security Studies (ISS) is the only African NGO currently working on the issue of WMDs on a day-to-day basis. Although the ISS has managed to engage with a number of African states through its 'Africa's Development and the Threat of Weapons of Mass Destruction Project' on various WMD-related topics, the Project cannot operate alone. At a workshop in June 2009 in Pretoria, delegates from a number of African governments and non-

[55] Abdul Samad Minty, Statement by the Head of the South African Delegation to the 54th regular Session of the IAEA General Conference. 21 September 2010

[56] Abdul Samad Minty, Statement by the Head of the South African Delegation to the 54th regular Session of the IAEA General Conference

governmental organizations discussed the possibility of creating a network of African NGOs[57] (as opposed to a group of NGOs that work in Africa).[58]

The group made a number of compelling arguments why African NGOs are well placed to constructively assist states in Africa with their CBRN treaty and convention obligations. All of the NGOs present at the meeting had experience in the disarmament and arms control field in general, but also have local knowledge of the security and development challenges faced in their particular country or region. They could therefore determine how best to address the challenge of CBRN security given their expertise in other related fields.

The group agreed that:

- Civil society has either the expertise or at least easy access to expert analysis on issues of national and global importance – developed through their own experiences on the ground (for example on the environmental and human rights impacts of nuclear material) or through their links to academia.
- NGOs come from different angles (environmental, health, sustainable development, human rights etc) and if networked can more effectively influence government.
- There is a need for a united civic voice from within Africa that can articulate the voice of Africa in international fora without being perceived as being driven by the "North" and which can influence African States in meeting their commitments and obligations.
- The time is ripe and long overdue for the creation of an African civil society organization (CSO) Network (note not a CSO Network in Africa).
- There was a clear need for information sharing amongst African NGOs in order to both gain a better understanding of the issues and to be able to make the connections between the Conventions that aim to increase Africa's security and the benefits to Africa's socio-economic development that will accrue from their full universalisation and implementation in Africa.[59]

As a result of discussions at the June 2009 workshop, the ISS, in collaboration with the Egyptian Council for Foreign Affairs (ECFA), established the African NGO Network, now known as *Nyuklianet*, with a focus on CBRN issues and in particular nuclear issues. The aims of the network include to:

- share information and knowledge;
- facilitate rapid mobilization when necessary;
- collaborate on joint research and policy initiatives;
- host joint events;

[57] Organizations that participated in the NGO network were from South Africa (ISS), Egypt (the Cairo University/Egyptian Council for Foreign Affairs), Malawi (Centre for Human Rights and Reconciliation), Zambia (International Physicians for the Prevention of Nuclear War [IPPNW]), Nigeria (International Physicians for the Prevention of Nuclear War [IPPNW]), Namibia (National Society for Human Rights), and Kenya (University of Nairobi).

[58] Amelia Broodryk and Noel Stott, Africa and the Nuclear Non-Proliferation Treaty 2010 Review Conference: Consolidated Report of Three Preparatory Workshops 2009-2010.

[59] Amelia Broodryk and Noel Stott, Africa and the Nuclear Non-Proliferation Treaty 2010 Review Conference: Consolidated Report of Three Preparatory Workshops 2009-2010.

- monitor international CBRN developments and trends;
- monitor continental CBRN developments and trends;
- alert members of important international events; and to
- articulate African positions in international NGO fora.

During the workshop session on the need for an NGO network, African government officials from countries such as Egypt, Malawi, South Africa and Zambia argued that NGOs should become more involved in issues related to CBRN security given their unique expertise and point of view. However, several NGO participants highlighted the difficulties in working with governments, including lack of open-source information, and the sometimes over-cautious or wary approach governments take with NGOs. Therefore, it was important for government and NGO representatives to collaborate towards greater transparency and information sharing of CBRN issues. Network members also identified the following to be addressed in collaboration with African governments:

- The need for the network members to engage relevant National Authorities, parliamentarians, diplomats and civil servants;
- The need for a professional and objective "WMD threat assessment" in Africa to be undertaken;
- The development of a "Toolkit" that network members could use when engaging with specific actors and sectors;
- The importance of the linkages between sound disarmament policies and practices and sustainable development on the African continent;
- The socio-economic benefits to Africa of implementing international WMD instruments across the continent; and,
- The development, strengthening and implementation of national non-proliferation control measures in Africa.[60]

Conclusions and Recommendations

Addressing the challenge of securing CBRN material in Africa must take into account the local context. The experiences of states in North Africa are quite different those in sub-Saharan Africa, and therefore, the principles applied on the African continent should include an assessment of regional as well as sub-regional dynamics.

Although it is very important that these materials are safeguarded against those who would potentially want to use the material to cause harm, it would be inappropriate to argue that African states should spend a large amount of financial and human resources in order to achieve this goal. There are already a number of initiatives taking place on the continent, but more work can certainly be done using the resources currently available to African states. The most important challenge to address is demonstrating to African states why actively participating in and implementing international CBRN agreements is important, not only to their national security, but also to their socio-economic development. It is vital that African states are made aware of benefits of complying with international conventions, such as technical assistance and increased cooperation.

[60] Amelia Broodryk and Noel Stott, Africa and the Nuclear Non-Proliferation Treaty 2010 Review Conference: Consolidated Report of Three Preparatory Workshops 2009-2010.

The following are a few policy recommendations for not only ensuring that CBRN materials become more secure in Africa, but also that the international instruments that govern these kinds of materials are implemented effectively:

- The international donor community should offer resources in the form of legal expertise to assist in drafting reports and appropriate legislation and on the technical aspects of implementing the provisions of the NPT; the Treaty of Pelindaba; Comprehensive Test Ban Treaty; the BTWC; CWC and, UNSCR 1540 either through appropriate NGOs or via government-to-government projects.
- The African Union should be engaged in relation to WMD issues in general so as to promote more 'buy-in' into what is largely perceived to be a concern of the developed world.
- Additional programs, including sponsorship arrangements, should be developed to assist African states to fully participate in, for example, the conferences of the BTWC and the CWC so that they may actively participate in international non-proliferation and disarmament fora.
- An audit of African disarmament, arms control and non-proliferation training facilities for diplomats, officials and NGOs should be undertaken to identify gaps and needs.
- Those African states that have not yet ratified the Treaty of Pelindaba should be encouraged to do so urgently.
- Regional meetings should be organized in order to provide African states with the opportunity to engage on issues of relevance for the continent with respect to the NPT, UNSCR 1540, the BTWC and the CWC.
- An audit of the number of laboratories with insufficient biosafety and biosecurity measures should be drawn up and an action plan to correct this devised.
- Easily accessible educational programs and materials on the CWC, BTWC, the NPT and UNSCR 1540 should be developed specifically for African government officials and scientists in order for them to better understand their non-proliferation obligations.
- Greater political support is needed to help place the NPT, the Treaty of Pelindaba, UNSCR 1540, the CWC and the BTWC into an African developmental context and to highlight the socio-economic benefits of full implementation of these agreements.
- States should be approached bilaterally for discussions on UNSCR 1540 and the significance of implementing its provisions. A particular focus should be placed on states that are considering developing nuclear power programs, as well as those who possess extensive uranium deposits. A focus should be placed on those states that have not yet submitted an initial report.
- Bodies such as the FNRBA and AFRA should be supported as they work towards safeguarding radioactive materials in African countries.[61]

[61] Stott, du Rand and Dye, Africa's Policy Imperatives, 4 – 5.

African State	BTWC	CWC	1540 Reports	Treaty of Pelindaba	NPT	Convention on Physical Protection of Nuclear Material	International Convention for the Suppression of Acts of Nuclear Terrorism	OAU Convention on the Prevention and Combating of Terrorism
Algeria	X	X	X	X	X	X		X
Angola			X		X			X
Benin	X	X	X	X	X			X
Botswana	X	X		X	X	X		
Burkina Faso	X	X	X	X	X	X		X
Burundi		X		X	X		X	X
Cameroon		X	X		X	X		
Cape Verde	X	X			X	X		X
Central African Republic		X			X	X	X	
Chad		X			X			X
Comoros		X			X	X	X	X
Congo (Republic of)	X	X			X			X
Côte d'Ivoire		X	X	X	X			
Djibouti		X	X		X	X		X
Democratic Republic of Congo (DRC)	X	X	X		X	X		
Egypt			X		X			X
Equatorial Guinea	X	X		X	X	X		X
Eritrea		X	X		X			X
Ethiopia	X	X		X	X			X
Gabon	X	X		X	X	X	X	X
Gambia	X	X		X	X			X
Ghana	X	X	X		X	X		X
Guinea		X		X	X	X		X
Guinea-Bissau	X	X			X	X	X	X
Kenya	X	X	X	X	X	X	X	X
Lesotho	X	X		X	X			X
Liberia		X			X			
Libya	X	X	X	X	X	X	X	X
Madagascar	X	X	X	X	X	X		X
Malawi		X		X	X		X	X
Mali	X	X		X	X	X	X	X
Mauritania		X		X	X	X	X	X
Mauritius	X	X	X	X	X			X
Morocco	X	X	X		X	X	X	
Mozambique		X		X	X	X		X
Namibia		X	X		X	X		
Niger	X	X	X		X	X	X	X
Nigeria	X	X	X	X	X	X		X

African State	BTWC	CWC	1540 Reports	Treaty of Pelindaba	NPT	Convention on Physical Protection of Nuclear Material	Convention for the Suppression of Acts of Nuclear Terrorism	Convention on the Prevention and Combating of Terrorism
Rwanda	X	X		X	X	X		X
Sao Tome & Principe	X	X			X			
Senegal	X	X	X	X	X	X		X
Seychelles	X	X	X		X	X		X
Sierra Leone	X	X	X		X			
Somalia								
South Africa	X	X	X	X	X	X	X	X
Sudan	X	X	X		X	X		X
Swaziland	X	X		X	X	X		
Tanzania (United Republic of)		X	X	X	X	X		X
Togo	X	X		X	X	X		X
Tunisia	X	X	X	X	X	X		X
Uganda	X	X	X		X	X		X
Zambia	X	X		X	X			
Zimbabwe	X	X		X	X			

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SECTION FOUR:
SMALL ARMS & LIGHT WEAPONS (SALW) PROLIFERATION, ACCUMULATION AND MISUSE IN AFRICA
Manifestations of the Challenge and Central Dimensions for Effective Responses and Local Partnerships

Claudio Gramizzi, Saferworld

Introduction

SALW proliferation and misuse is a huge problem in many parts of sub-Saharan Africa. The manifestations of that problem, however, are far from uniform. This paper considers the different ways in which SALW are undermining security in Africa, looking in particular at the situations in Somalia, Uganda and the Democratic Republic of the Congo, and noting that to be effective, SALW control interventions should seek to address both the demand and supply sides of the problem. Consideration is given to various African initiatives to tackle illicit SALW proliferation, with the gap between rhetoric and the real priority apparently accorded SALW issues by many African governments highlighted as a particular problem. The role that non-government actors have played in SALW-oriented programs and initiatives in Africa over the last decade is examined in some detail, in terms of both the difficulties they have faced and the benefits that civil society engagement can bring. Ultimately the paper argues that civil society, and especially *local* civil society, has a key role to play in mitigating the pernicious effects of SALW proliferation in Africa. While acknowledging the importance of developing context-specific responses, it concludes by identifying a number of principles that if followed should improve the quality and impact of SALW control efforts in Africa.

Africa: A Complex Environment

By the end of 1960, the big majority of African states[62] had obtained independence from former colonial powers through various means and political processes, even for those states previously administered by the same colonial authorities. Differences in place at the point of independence increased over time. States evolved through different political experiences; relied on varied—sometimes antagonist—external supports; faced dissimilar challenges; and elaborated context-specific responses through the decades. Inevitably, fifty years after independence, states have built their peculiar histories, articulated their own strategies to address challenges and threats, and reacted differently to the changing international environment. Even if within the 53 African states[63] some do share common historical backgrounds, socio-cultural similarities and geographical characteristics, every one of them should still be regarded as a unique political space.[64] As a direct consequence,

[62] Liberia was the first African State to become independent, in 1847, while Ethiopia was only partially occupied by a colonial power (Italy) between 1935 and 1941. The vast majority of British and French colonies – including those previously controlled by Germany and handed-over after the signature of the Versailles Treaty in 1919 – obtained independence in 1960. Equatorial Guinea, former Spanish colony, gained its independence in 1968, while former Portuguese colonies were recognized as sovereign States only in 1975.

[63] The 53 States this paper refers to are African Union Member States—with the exclusion of Sahrawi Arab Democratic Republic—and Morocco.

[64] This applies even to States now distinct but previously administered under the same territorial authority of the colonial powers. What are now Cote d'Ivoire and Burkina Faso were administered jointly from 1932 to 1947. Similarly, current territories of the Democratic Republic of the Congo, Burundi and Rwanda all were part of the Belgian Congo from 1924 until independence in 1960. Burundi and Rwanda declared their own independence only in 1962. Other similar examples exist: such as Eritrea only obtained independence from Ethiopia in 1993.

Africa should therefore be regarded as the composition of very diverse contexts rather than a single entity.

SALW Proliferation in Africa: A Quantitative and Qualitative Assessment of the Challenge

Despite the existence of many publications and much research on the topic, the precise number of SALW circulating on the African continent is unknown, as most states do not publish reliable data on their military procurement. In addition, possession by civilians is poorly monitored for a large range of reasons, from a lack of institutional capacity to implement the domestic normative frameworks to high rates of illicit—and therefore unknown—detention of unregistered weapons.

Nevertheless, according to publicly available estimates, between 35.1 and 38.7 million firearms are present on the African continent. [65] Nearly 70 percent of these are considered to be held by individuals[66], while the remaining five and 25 percent respectively are estimated to belong to official stockpiles of police[67] and defense forces.[68] These figures apply only to firearms and therefore provide only a partial picture of the existing stocks of SALW on the African continent.[69]

As might be presumed in light of the comments above, today's manifestations of SALW proliferation in Africa emerge from different contexts and should therefore not be considered as the expression of a single phenomenon. Nevertheless, it is still possible to highlight elements appearing as common to at least the vast majority of African states. Nonetheless, such classifications should be considered purely theoretical, bearing in mind that countries belonging to the same group remain very different one from another. The effectiveness of an initiative that proved successful in one country can vary significantly if cloned and implemented elsewhere, without any specific analysis and adjustment to local context.

The majority of African states currently appear to be seriously affected by SALW proliferation and illicit circulation; many have recently declared themselves in international and regional *fora* to be focusing on this specific issue.[70] A number of common factors contributing to current SALW accumulation and illicit use—some historical, others related more to recent developments—can be identified:

- the accumulation—often excessive—of SALW stockpiles that were created in the aftermath of independence and during the Cold War, when states were building their national authority and regional and international alliances;
- the appearance of a significant number of armed conflicts, both inter and intra-state, as a result of tensions emerging from disputes related to the definition of international

[65] Figures presented in this section are available on the Gun Policy website (http://www.gunpolicy.org/). The majority of these data are presented in 'Trickle and Torrent: State stockpiles.' *Small Arms Survey 2006: Unfinished Business* (2006) and 'Completing the Count: Civilian firearms.' *Small Arms Survey 2007: Guns in the City* (2007) by A. Karp.

[66] Data refers to all African States excluding São Tomé e Principe.

[67] Data refers to all African States excluding Burundi, Comoros, São Tomé e Principe and Swaziland.

[68] Data refers to all African States excluding Comoros, Mauritius, São Tomé e Principe and Swaziland.

[69] The generic definition of SALW internationally accepted goes beyond the category of "firearms" also includes all portable weapons of a caliber inferior to 100mm, their ammunition and explosives. See the definition provided by the UN Group of Experts established in 1997.

[70] See, for example, African State's statements and Reports on National Implementation of the United Nations Programme of Action against SALW proliferation, available on http://www.poa-iss.org/poa/poa.aspx

boards, struggles for independence or auto-determination, access to natural resources or attempts to access power by the use of force;
- the regional ramifications of many of these conflicts, creating support networks and routes for trafficking across borders;
- states' limited institutional capacities to efficiently manage possession by civilians[71], to secure stockpiles and monitor border movements in order to avoid illicit transfers;
- the existence of local manufacturing capacities, especially for small caliber ammunition, and subsequent unmonitored transfers of stocks across the continent[72];
- the liberalization of markets in Africa opening up space for the easier movement of SALW along with other items; and
- the persistence of precarious living conditions for huge proportions of the population and long-lasting inter-community tensions creating favorable conditions for the militarization of local communities.

Regarding the underlying reasons for SALW accumulation and proliferation, it is possible to identify six generic categories, within which different countries can be situated. It should be noted, however, that this classification should be treated with caution. None of the categories exists in isolation, there is a clear interplay among them, and locating a state within one but not another is sometimes problematic, however this should at least provide a preliminary indication of where some of the difficulties lie.

Table 1: Manifestations of SALW proliferation in African countries[73]

SALW Issue	Affected States
Emergence of terrorist groups	Algeria, Egypt, Mali, Mauritania, Morocco, Niger, Somalia
Trans-national organized crime including human beings and narcotics trafficking	Benin, Burundi, the Gambia, Guinea-Bissau, Liberia, Mali, Tanzania, Togo
Armed conflict (inter-state or internal)	Angola, Chad, Cote d'Ivoire, the Democratic Republic of the Congo (DRC), Eritrea, Ethiopia, Nigeria, Senegal, Somalia, Sudan, Uganda
Armed violence and political fragility due to post-conflict reconstruction and militarization of the society	Angola, Burundi, the DRC, Liberia, Mozambique, Republic of the Congo (RoC), Sierra Leone, Sudan
Extension of political tensions	Guinea, Kenya, Lesotho, Madagascar, Namibia, Nigeria, Rwanda
Insecurity due to high rates of armed criminal activities (urban or rural) and/or continued tensions among communities	Algeria, Benin, Burkina Faso, , Burundi, Cameroon, Central African Republic, Chad, Cote d'Ivoire, the DRC, Gabon, Guinea, Guinea-Bissau, Kenya, Liberia, Lesotho, Malawi, Mali, Mauritania, Namibia, Niger, Nigeria, Senegal, Somalia, South Africa, Sierra Leone, Sudan, Tanzania, Togo, Uganda, Zimbabwe

[71] Figures available on http://www.gunpolicy.org/ provide a good illustration of the difficulties faced by African States to effectively monitor firearms possession by civilians. There are, for instance, 1,800,000 licensed firearms in South Africa, while the estimated total number of guns owned by civilians is between 3,500,000 and 5,950,000. In Sudan, ownership of 6,724 firearms is officially registered, while 2,000,000 are estimated to be in circulation.

[72] According to figures provided by Small Arms Survey, firearms manufacturing capacities exist in Algeria, Burkina Faso, Cameroon, Egypt, Ethiopia. Guinea, Morocco, Nigeria, South Africa and Sudan. Small caliber ammunition (caliber inferior or equal to 12.7mm) are reportedly manufactured in Burkina Faso, Egypt, Guinea, Kenya, Morocco, Nigeria, South Africa, Sudan, Tanzania, Uganda and Zimbabwe. See Small Arms Survey 2003, *Development denied*, Small Arms Survey 2005, *Weapons at war* and Small Arms Survey 2006, *Unfinished pictures*.

[73] Once more, while looking at this classification, readers should not forget that States belonging to the same group face different expressions, determined by the nature of their national specific context and history, of the same challenges.

Concrete Examples of the Impact of SALW Proliferation: Somalia, Uganda and the Democratic Republic of the Congo

Somalia

After having fought a number of internal insurgencies, the Somali Government collapsed in 1991, from which has flowed a long-standing period of instability. Heavily armed during the Cold War period as a result of its geo-strategic position and a propensity to switch from one camp to another[74], the country's recent history has been characterized by a wave of conflicts mainly opposing the Transitional Federal Government (TFG) and the Islamic Court Union (ICU), with each side trying to establish its power over the whole national territory. The defeat of the ICU by Government forces directly supported by Ethiopia[75] could not prevent, however, the emergence of newly-constituted Islamic insurgent groups, mainly led by *Al Shabaab* and *Hizb al-Islam*. Such groups, currently controlling large areas of the Southern and Central part of the country, recently expanded the theatre of the confrontation with the international-community-backed TFG[76], conducting operations in northern Kenya and Uganda, where terrorist attacks were perpetrated in July 2010.[77]

This long-running conflict has generated and sustained a powerful demand for SALW (the main weapons of choice through all of this) and their ammunition, which have flooded in (mainly, but not exclusively, from Yemen) and then are themselves at risk of destabilizing other countries where they are re-circulated around the region. While establishing a precise toll of the Somali conflict is an impossible task, the magnitude of the effects generated by nearly two decades of large-scale conflict in the country in terms of direct casualties, insecurity and armed violence, forced displacement of populations[78] and reduction of access to effective health and education infrastructures for the population appear to be devastating. In addition, recent events intertwined with the Somali conflict—such as those occurring in Uganda—also illustrate the level of regionalization reached by the conflict and the threat that this war represents for stability and peace in the whole region, not least as various neighbors position themselves differently in relation to the conflict. The emergence of armed pirate groups based in Puntland and Central Somalia is just one more manifestation of the broader ramifications of the breakdown of governance and general lawlessness in Somalia.[79]

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[74] Between independence in 1959 and the fall of the Government in 1991, Somalia received significant volumes of military supplies from a number of different producing countries, including the People's Republic of China, Egypt, former West Germany, Iran, Italy, Saudi Arabia, the US and the USSR.

[75] The Ethiopian intervention in Somalia – launched on the behalf of the TFG – lasted from 2006 to 2009. The intervention of Ethiopian troops already illustrated the regional dimension of the Somali conflict, as it was aimed to reduce the influence of Eritrea – reportedly backing the Islamic Courts Union – in the country.

[76] The TFG – led by a former member of the ICU – is currently supported by the international community through the African Union peacekeeping mission known as AMISOM.

[77] On July 11th, 2010, two restaurants in Kampala were attacked by suicide-bombers and soon after *Al-Shabaab* claimed the responsibility for these operations. Previously, the insurgent group had made public statements threatening to conduct terror attacks in Uganda and Burundi, both countries being the main contingent-providers to ANISOM. Investigations undertaken on the aftermath of the attacks reportedly proved the existence of Uganda-based support cells and the possible presence of other structures providing logistics support to *Al-Shabaab* associated groups in some neighboring countries.

[78] According to UNHCR, as of October 2009, nearly 1.5 million individuals had been displaced by the conflict.

[79] Piracy and robbery at sea are not entirely new phenomena in Somali waters. Over the last couple of years, however, these criminal enterprises have grown significantly. According to the UN, networks operating on the Somali coasts count between 1,000 and 1,500 active members. The emergence of these groups can also be seen as an expression of a sense of grievance against the extended foreign exploitation of Somalia's maritime resources in the course of the last couple of decades.

Despite efforts and resources dedicated to the long-lasting Somali crisis[80], chronic insecurity, lack of socio-economic alternatives for the people and radicalization of the insurgent movements crucially contributed to enlarge the range of armed groups' influence, especially among younger Somalis. This trend generated an increased demand for SALW, from combatant factions aiming to increase their military capabilities, Governmental bodies facing growing security threats, and the civilian population looking for self-protection and survival.

Uganda

During its national history, Uganda has experienced several internal conflicts and the emergence of a number of armed insurgencies. While the country can be currently considered almost conflict-free, two armed groups created in Uganda and officially still pursuing Uganda-centered political claims are still active in the Great Lakes region: the Lord's Resistance Army (LRA), currently operating in a vast zone between Eastern DRC, South Sudan and Central African Republic; and the Alliance of Democratic Forces—National Army for the Liberation of Uganda (ADF-NALU), based in the border area between the DRC and Uganda in the Rwenzori Mountain region. Even if not involved in recent military operations on Ugandan soil, these two rebel movements are still operating on the other side of the border, directly contributing to the emergence of humanitarian crises[81], the pillaging of Congolese natural resources[82], and the creation of lawlessness in areas under their direct control.

Another main security challenge for Uganda is currently represented by high rates of armed violence and crime in the pastoralist communities living in the Northern part of the country, in the area neighboring North-Western Kenya, Southern Ethiopia and Sudan, commonly known as Karamoja. SALW proliferation in the region has over time multiplied the impact of inter-community disputes and cattle raids—sometimes related to competition over access to water and land—to introduce other forms of armed criminality and to engender conditions for confrontation with Ugandan security forces.

Field research has clearly concluded that, while conflicts and disputes mainly emerge from external factors such as the reduction of access to pasture, droughts and the weakness of the State's response to many of the challenges faced by local populations, SALW availability and dissemination among pastoralist communities has directly contributed to escalation of tensions and militarization of the means used to resolve tensions and disputes. [83] This research equally illustrates that the sources of

[80] The action of the international community is mainly channeled through humanitarian aid and response. In parallel, nevertheless, several political initiatives have been adopted in the course of the last decade, including the establishment in 1992, by the UN Security Council, of an embargo on all supplies of military equipment to Somali's armed actors. Despite this measure, arms flows to Somalia never stopped. According to the most recent UN reports, the most significant volumes of SALW transferred to Somalia come from Yemen. Other States, such as Ethiopia and the US also provided the TFG with ongoing military and financial support for arms procurement on the local market. See, in particular, Report S/2010/91 of the UN Security Council's Group of Experts on Somalia.

[81] LRA presence in Haut Uele (DRC) and in CAR in 2009 and 2010 created a number of humanitarian emergencies. The armed group abducted dozens of people, attacked and looted villages and killed several hundred people from local communities. In second half of 2010, raids conducted by LRA small groups in Southern Sudan have also been reported.

[82] Reports indicate, for instance, that ADF-NALU has been involved in illicit exploitation of Congolese natural resources, especially timber and gold.

[83] For further details on the Karamoja area, see Bibliography.

illicitly-used SALW and ammunition are both internal (Ugandan official stockpiles[84] or local illicit markets) and external (essentially from South Sudan).

The Ugandan Government has over the last decade sought to address this through disarmament programs, however these have involved the use of violent force ("contain and search"), which has left local populations vulnerable and alienated from the process. This has undermined prospects for success and ultimately the efforts at disarmament have failed to generate conclusive results. Lessons learned from the Karamoja experiences illustrate the importance of addressing arms collection programs as coherent components of broader initiatives—not limited only to arms management or disposal—supporting longer-term societal change and addressing SALW demand factors.

Disarmament programs undertaken recently also show that unless disarmament is conducted concurrently in a coordinated manner by neighboring states (most of which have vast borders and frontiers traversed by same communities), its impact remains insignificant and creates more demand for SALW.[85] The complexity of the challenge in the Karamoja area, where different patterns of militarization and use of armed force are entangled, also shows how in-depth understanding of the context where initiatives are to be undertaken is essential in order to avoid the emergence of negative impacts. Contexts influenced by conflict dynamics—such as the one prevailing in the Karamoja region—are sensitive to externally-driven interventions. The interaction between these interventions and the context where they apply needs to be thoroughly weighed in order to maximize positive impact and ownership by participants.[86]

The Democratic Republic of the Congo

The DRC is challenged by another long-standing conflict, especially in the Eastern part of the country where regular cycles of instability emerged following independence. The launching pad of the broad coalition that led to Laurent Désiré Kabila seizing power in 1997, Eastern DRC never returned to sustainable peace afterwards. As a result of the war fought by the Congolese state against some of the neighboring and formally-allied countries and the proliferation of non-state (even if sometimes state-backed) armed groups, it remains one of the most unstable and insecure zones of the Great Lakes Region.[87]

In parts of Eastern DRC, non-State armed groups responsible for serious and recurrent violations of Human Rights and International Humanitarian Law, frequent and massive displacements of populations, general insecurity and illicit activities, have largely replaced the state and established

[84] Diversion from the State's stockpiles have different origins: small scale trade by security forces personnel or members of local militias supplied by the Government during anti-LRA campaigns, the collapse of the Ugandan army during the 1979 deposal of the President Idi Amin; raids against security agencies' barracks.

[85] See for instance the analysis of the disarmament operations conducted between September 2006 and February 2007 by the Ugandan People's Defence Force (UPDF) in the Karamoja region (referenced in the Bibliography).

[86] According to some analysts, for instance, the disarmament program undertaken in 2006-2007 finally increased the demand for SALW in the areas targeted by the programmed, as insecurity and inter-community tensions remained unchallenged. Evolution of prices for illicit SALW on the local markets also suggested that availability increased as a side-effect of the disarmament campaign.

[87] South and North Kivu Provinces and Ituri district have been the most affected areas in the recent past. As a consequence of the dispersal of LRA groups and anti-FDLR operations conducted by the Congolese national army since early 2009, some areas in Orientale Province and Maniema are equally facing serious security challenges. Despite the fact that the Eastern part of the country remains the one most affected by armed violence, cases of armed unrest punctually erupt in other regions of the country, as it was the case, early 2010, in the Equatorial Province.

their own authority.[88] Activities include tax collection, forced labor and large-scale pillaging of natural resources, and such groups have unimpeded access to external networks—in some cases connected with other trans-national criminal gangs or terrorist webs—and can use their safe-havens to plan and launch military operations.

As a consequence of this situation and the widespread collapse of social and community-based structures, Eastern DRC suffers from high rates of armed violence at all levels of society, under-development, extreme poverty and community tensions often crystallized around access to land and resources. The situation is further aggravated by the unhelpful engagement of national security agencies, often directly responsible for direct support to non-state armed groups and for themselves inflicting all sorts of abuses on civilian populations. The DRC is yet another example of the difficulty for both the national government and the international community of efficiently re-establishing peace and security and fighting against possible regionalization of violence.[89]

Once more, the high rates of availability of SALW and ammunition, the ineffectiveness of the embargo regime[90] and the poor records in terms of governance and development appear to be among the main reasons for the lack of tangible improvements despite the resources allocated to pursue them.

Implications of SALW Proliferation and Dissemination

While the presence of SALW in society does not have to be problematic, as set out in Table 1 above there are too many contexts in Africa where it is clear that, even if the consequences in terms of human suffering and political instability are not necessarily directly measurable, easy access to SALW is causing severe harm; to individuals, communities, states and even regionally.[91]

This harm is not restricted only to the deaths and injuries caused by actual misuse, and other immediate consequences such as sexual violence, intimidation and displacement of populations facilitated by SALW prevalence and use. In addition, SALW proliferation and misuse in Africa is negatively affecting development efforts and initiatives.[92] Many African states have themselves recognized this relationship publicly, for example in their national statements and reports to the UN Programme of Action to Combat and Eradicate Illicit Trade on SALW (PoA).[93] Populations in

[88] A significant number of non-state armed groups operate in Eastern DRC. A number of these groups were created abroad, even if some have been operating in the DRC for more than a decade: FDLR-FOCA, ADF-NALU and LRA are among the more actives. Others groups are to be considered Congolese movements: some have clear political claims and benefit from external supports (CNDP, FPJC, FPRI and FLEC), while others, broadly classified as Mayi-Mayi, should be rather seen as the self-defense and community based militias.

[89] In a number of cases during the last decade, Eastern DRC has been used as a rear-base for armed movements and networks also operating in the neighboring countries.

[90] The Sanctions Regime established by the UN Security Council in 2004 did not stop non-state armed groups being supplied with weapons and, most importantly, ammunition. In addition to the difficulties of monitoring porous Congolese borders, efforts to restrict access are also significantly undermined by the fact that the Congolese state's stockpiles remain the main source of military equipment used by armed groups.

[91] While the primary objective of this paper is not to provide an accurate account of the humanitarian and security consequences of SALW proliferation, figures referring to concrete examples (Somalia, the DRC, Uganda and Kenya) provide a broad idea of the consequences suffered by local populations living in the most affected areas.

[92] See Bibliography for precise references.

[93] A number of National Statements delivered by African delegations during PoA-related meetings refer to SALW proliferation as an obstacle to development. Some of these statements are accessible in electronic format at http://poa-iss.org/PoA/PoA.aspx.

areas seriously affected by SALW proliferation and characterized by general insecurity cannot freely access production sites (in rural areas as well as in urban structures), take reasonable advantage of existing infrastructures (road, market places, etc.) or devote sufficient time and energy to everyday economic and professional endeavors. Simultaneously, insecurity discourages long-term and private investment, diverts financial assets[94] and operates as a long-term drag on societies by affecting access to education or health-care.[95]

This picture is even darker when considering post-conflict and reconstruction processes in Africa; proliferation of SALW is a constant hazard to the re-establishment of state authority and rule of law, a factor underpinning unresolved tensions and a tool that can be easily used to threaten peace in still-volatile situations, producing uncertainty and undermining conflict resolution and post-crisis reconstruction processes.

Addressing SALW Proliferation and Dissemination

While keeping in mind that no two situations are the same, there are certain behaviors that greatly improve the chances that engagement on SALW issues will have positive, sustainable outcomes.

Participatory Approaches

Interventions should be elaborated on the basis of rigorous participatory analysis, involving all stakeholders, and an in-depth understanding of the context. The involvement of affected communities and potentially groups within communities is critical, with care taken to understand and take into account. This engagement with local stakeholders needs to take place at all stages of an intervention, from design through implementation and consolidation to monitoring and evaluation. It should be noted, however, that such an approach may well present significant challenges and create additional complications. Nevertheless, it appears to be of real importance in generating and sustaining meaningful institutional, social and political change.

Addressing both Demand and Supply of SALW and Ammunition

At the most fundamental level interventions will need to both understand and address demand and control supply.

Understanding the causes of demand for SALW is a fundamental start-point of efforts to control their dissemination and misuse; but this is not necessarily an easy task, especially where unregulated possession of SALW by non-state actors is significant (as is the case in many African countries). Quantifying the extent of this phenomenon is typically difficult because of methodological constraints and limited availability of reliable sources of data. Establishing the profiles of the owners and distinguishing between civilians, criminals and members of armed structures is even more challenging, not least because the reasons behind SALW possession can be multiple, even for a single owner, nevertheless the more demand is understood, the better interventions can be tailored to suit local dynamics.

A number of disarmament programs conducted in the past suggest unambiguously that reducing the number of weapons in circulation in any affected area can only produce partial and temporary

[94] For example, according to UN sources, humanitarian agencies operating in conflict or armed-violence affected areas spend up to 25 per cent of their budgets just on the security and safety of their personnel.

[95] See, for instance, "*Primary Education under the Gun*", by Joyce Mulama, 31 March 2010, http://allafrica.com/stories/201004010003.html.

results, so long as the reasons behind the demand for SALW are not understood and then adequately addressed. Experiences in, for example, Southern Sudan and Uganda, illustrate that forced weapons collections or disarmament campaigns with no or little local ownership were shortly followed by waves of rearmament, as arms reduction programs were not complemented by concrete improvements in terms of what remained the main reasons for the militarization of societies, i.e. feelings of insecurity and inter-community tensions. [96]

Gathering detailed information on SALW supply into problem areas in Africa is similarly difficult. A lack of data complicates accurate assessment of African SALW production, however it is known that the continent's industrial capacity to manufacture SALW and ammunition is limited when compared to that of other continents (despite efforts to address this by some States).[97] Moreover, available figures on transfers of SALW and ammunition to African states suggest that *recent* import volumes have been insufficient to respond to the level of demand for SALW.[98] All this suggests that the extent of SALW proliferation and dissemination results mainly from *historical* accumulation of supplies delivered from outside the continent, with several analysts positing that existing stockpiles in the continent—both state-controlled and illegal—are the main source of SALW circulating illicitly.[99] Thus a significant proportion of supply routes currently used to channel illicit SALW and ammunition to service the high levels of demand in different regions in Africa remain confined within the African continent and to small/medium volumes. These take advantage of permeable official stockpiles and porous borders, limited state capacity to properly control trans-border activities, and high level of demand.

Because of the different technical characteristics of weapons and ammunition—the latter being consumable and affected by age while the former remain functional for decades—it should come as no surprise that trafficking of ammunition plays a fundamental role in fuelling illicit markets, armed violence and conflict. An examination of reports and press releases on aborted illicit transfers in Africa supports this assertion and underlines the fact that illicit movements of ammunition appear to be more frequent then these displacing weapons.[100]

At the same time as efforts are made to address demand, initiatives addressing SALW proliferation and dissemination in Africa should also factor in issues relating to supply, including by ensuring they consider the different actors and types of transactions involved. In addition, if efforts to improve states' capacity to prevent illicit supply-chains are to succeed, they should not focus exclusively on

[96] See the Bibliography section for specific references.

[97] According to figures provided by Small Arms Survey, firearms production in Africa only represents 3 per cent of the global volume of manufacture. Similarly, small caliber ammunition (up to 12.7mm) production in African countries represents only seven per cent of the global volume manufactured worldwide. The only African country considered a medium size manufacturer and exporter is South Africa. See Small Arms Survey 2003, *Development denied*; Small Arms Survey 2005, *Weapons at war;* and Small Arms Survey 2006, *Unfinished pictures*.

[98] Available data on SALW international transfers is not comprehensive. While some exporting states (for instance EU Member States and the US) publish accurate data on a regular basis and some research centers frequently publish the outcome of their work, a number of significant manufacturers and exporters (for example China and Russia) do not. As a result, in general terms, available data will underestimate African imports.

[99] Inspections of the types and age of seized or collected SALW and ammunition in the DRC, for instance, clearly suggest that a consistent proportion of illicitly-possessed weapons and bullets came from existing stockpiles and were subsequently transferred via small-scale trafficking routes. References to this issue can be found in some UN Group of Experts Reports, especially those on the DRC and Cote d'Ivoire (see Bibliography section for references).

[100] A number of press articles reporting on seizures of illicit SALW and weapons are available on the Internet; see for instance www.gunpolicy.org. In many instances, the volumes of ammunition involved significantly outstrip those of weapons.

international and intercontinental transfers, but also on restricting internal trafficking and movements of SALW, paying particular attention to ammunition, and on mitigating risks of diversion of States' stockpiles by improving stockpile management and security.

African Initiatives to Tackle Illicit Proliferation of SALW[101]

In the course of the 1990s, a range of African countries directly experienced devastating effects from SALW proliferation and misuse.[102] As a reaction to this, several initiatives were launched on the continent in order to create the basis for a better coordinated and more efficient strategy to address the uncontrolled circulation of SALW. The first relevant political commitment was signed in October 1998 when the 16 Heads of the ECOWAS Member States[103] endorsed a regional *Declaration of Moratorium on Importation, Exportation and Manufacture of Light Weapons in West Africa*. In March 2000, 10 other African States endorsed the politically-binding *Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa*, while the African Union Member States enlarged the scope of these initiatives by adopting the *Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons* only in December 2000.

These three documents, all endorsed before the adoption of the PoA, were shortly followed by other regional agreements. In August 2001, the 14 Member States of the Southern African Development Community (SADC) adopted the *Protocol on the Control of Firearms, Ammunition and Other Related Materials in the SADC Region*, aiming to harmonies domestic control practices. In 2006 the ECOWAS Moratorium became a legally-binding *Convention on SALW, their Ammunition and Other Related Materials*, while the Nairobi Declaration was transformed into a legally-binding Protocol in June 2004. More recently, in May 2010, the 11 ECCAS Member States endorsed the *Central Africa Convention for the Control of Small Arms and Light Weapons, their Ammunition, Parts and Components that can be used for their Manufacture, Repair and Assembly*, which means that all sub-Saharan states are now signatories to at least one regional SALW control standard.[104]

These agreements are testament to a stated commitment on the part of African states to address SALW in the context of violent crises and instability by better regulating the legal trade in and combating illicit circulation of SALW. In addition to purely technical provisions on SALW transfers, controls and management, the agreements elaborate broader measures to better respond to other challenges interrelated to the root-causes of armed violence and conflict, therefore recognizing both the need to adopt regionally-integrated approaches and to dedicate specific attention to the human dimension of the phenomenon.

By adopting these agreements African states were declaring their intention to actively address SALW issues, at both national and regional levels. Years after their adoption, however, the implementation of these instruments remains, in many cases, partial and well below initial expectations. In a number

[101] The Bibliography section provides detailed reference for all the regional agreements mentioned in this section.

[102] UNDP estimates that while Africa only represents 14% of the world's population, between 1990 and 2003, the continent has been the theatre of 38% of world's armed conflicts.

[103] Mauritania withdrew from ECOWAS in 2000, reducing the number of Member States to 15.

[104] Mauritania and Comoros have not endorsed any regional initiative, while a few States have endorsed more than one. These include: Angola (SADC Protocol and Central African Convention), Burundi (Nairobi Protocol and Central African Convention), the DRC (SADC Protocol, Nairobi Protocol and Central African Convention), Rwanda (Nairobi Protocol and Central African Convention), and the Seychelles (Nairobi Protocol and Central African Convention).

of instances the difficulty in identifying appropriate and available domestic and international resources and the ambitious nature of the agreements can be perceived as the main reasons for the slow pace of the implementation processes. But the gap between declared intentions and efforts undertaken by signatory states, in some cases many years after the agreements were adopted, and a frequent lack of appropriate national strategic frameworks raise questions about the level of prioritization accorded to SALW issues.

African states should be wary of entering into any additional formal SALW commitments at this stage, and should instead be focused on honoring their existing commitments and obligations. As part of this, they should be prioritizing those areas that will really make a difference, and seek to engage where appropriate with their neighbors and with donor states with a view to enlisting their co-operation and support. Such co-operation and assistance could be organized bilaterally, through the aforementioned regional bodies, or explicitly within the context of the PoA.

Involving Non-Government Actors in the Quest for Solutions and Improvements[105]

Challenges to Civil Society Engagement

Civil society in African states appears often to be younger and to some extent less-capacitated than correlatives in other continents. The majority of African states only obtained independence around 50 years ago, with the first expressions of what might be classed as modern local civil society[106]—mainly trade unions and political activist groups (where authorized)—appearing roughly a couple of decades earlier.[107] In the same period, by comparison, many South American states already had experienced more than a century of sovereignty. Lack of institutional background, limited resources and in many instances limits on the space allowed for independent non-government initiatives have dramatically reduced opportunities for African civil society to accumulate valuable experiences, gather know-how, reinforce structures and create a niche for direct, constructive and long-term engagement.

The key challenges facing African civil society and non-governmental actors working to combat SALW proliferation and dissemination are set out below. Note that while some can be seen as emerging from the general trends referred to above, others stem from issues relating directly to SALW. Note also that different non-governmental actors will experience these to different extents and in different combination, according to the specific situation.

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[105] The term non-government group (or civil society) is used to describe a vast array of actors with different legal status, backgrounds, objectives, capacities, knowledge, community networks and ethical or religious beliefs, but it is difficult to provide a single clear definition of the term. Herein we generally describe non-governmental actors as those individuals, groups or organizations publicly operating as associational networks and acting to complement state action without being institutionally tied to government.

[106] Excluding traditional and religious authorities.

[107] This has been the case for the majority of British and French colonies, where locals had been gently but progressively integrated to the administration structures of the colonies long before any local structures were authorized, playing an increasing role in society since the early 1940s. The situation in colonies controlled by other European powers was very different. When Belgian Congo obtained independence in 1960, very few steps had been taken to prepare such a process. For example, access to tertiary education for locals was only authorized in 1958. Portuguese colonies obtained sovereignty later, with little involvement of local populations in the administration of the colonies prior to independence. In many cases, though, space for civil society left by the colonial powers has been drastically squeezed in the aftermath of the independence as African regimes evolved towards one-party or military-run systems.

a. Lack of transparency regarding security policies and challenges by states
Although there are some mechanisms for centralization of data on SALW and ammunition, in particular as a result of the implementation of provisions contained in the regional agreements adopted since 1998, the huge majority of sub-Saharan African states do not publish reliable figures on SALW transfers and their management. [108] Very few examples of oversight mechanisms by non-government bodies exist and, in many cases, the management of SALW is compartmentalized between several state agencies and bodies sharing little information (across or within governments). Such practices and the lack of procedures regulating dialogue between state authorities and others severely impair the ability of non-government actors with an interest in SALW issues to have comprehensive and timely access to relevant information, hence limiting their capacity to provide relevant and qualitatively-valuable input.

b. Shrinking space available for non-government actors
Space dedicated to government-civil society collaboration is rarely regulated according to standard criteria but rather is often determined by the evolution of the specific domestic political or security context, either positive or negative. As an immediate consequence, civil-society and non-governmental actions have to adapt to a space changing unpredictably.[109] The uncertainty thereby produced is not conducive to long-term engagement and independent initiatives by civil society. Instead it inevitably undermines the reinforcement of capacities and the establishment of appropriate technical knowledge, drastically reducing the possibilities for the emergence of valuable contributions from outside governments.

c. Lack of mutual confidence between governments and non-government actors
Dialogue between governments and non-governments actors focusing on SALW and security-related matters appears in a number of African countries to be segmented and drastically limited in depth and scope. This pattern can be seen as a direct result of the aforementioned issues around transparency and shrinking space for non-government actors and the fact that many governments still regard these issues as the exclusive preserve of states. It should nevertheless be noted that relationships in many cases are evolving in a positive direction, if only timidly.[110]

An immediate consequence of the gap between government perception and civil society's expectations is a low level of mutual confidence between the two. A vicious circle can develop, whereby government officials have a poor opinion of the contributions civil society is able to provide, but civil society is not able to gain the experience necessary in order to engage to a level of expertise that might win officials' respect.

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[108] The Republic of South Africa represents the only significant exception to this general trend.

[109] Burundi and Rwanda are among the most recent cases of severe reduction of the space in which civil society can operate. As the 2010 electoral period approached in both countries, a number of civil society actors (including some international NGOs) had their authorization to operate in-country revoked, while several media agencies (mainly written press and radio) were forced to interrupt their activities. In some cases, political engagement can also generate serious threats. An extreme case occurred in Burundi in April 2009, when Ernest Manirumva (vice-president of OLUCOME, a Burundian NGO working on corruption and bad governance) was murdered in the streets of Bujumbura, allegedly because of his involvement in research focusing on a procurement of equipment for the National Police. For further details on this case, see for instance http://www.protectionline.org/Ernest-Manirumva-anticorruption.html

[110] See, for instance, "*Société civile et résolution des conflits en Afrique de l'Ouest*", by Anatole Ayissi, AFRI 2002, Vol III available on http://www.afri-ct.org/Societe-civile-et-resolution-des?lang=fr, references to the importance of the civil society in previously cited regional agreements on SALW and African States national statements at UN PoA meetings, available on http://www.poa-iss.org/poa/poa.aspx

d. Limitation of non-governmental actors' capacities

Many African non-governmental actors trying to reduce SALW proliferation and misuse suffer from mutually-reinforcing limited capacities in financial, human and technical resources. Financial hardship means that many African civil society organizations have to dedicate too much time and energy identifying and pursuing possible fundraising opportunities (often in competition with colleagues from other organizations), and as a consequence too little time on thematic/programmatic work, or indeed on developing organizational or staff capacities, e.g. in terms of technical knowledge. In some cases, donors' grant management procedures (from submitting proposals to financial reporting) are burdensome to the point that smaller or less-established organizations are effectively excluded from being able to compete for funds. But without those funds they struggle to develop those organizational skills. This all contributes to only a minority of African non-government actors being able to provide, when invited to do so, concrete and valuable contributions to the SALW control agenda.

e. Limited prerogatives and capacities of governmental bodies to properly manage relationships with non-governmental actors.

The majority of African states have established—as a direct consequence of the provisions contained in regional agreements and the PoA—National Focal Points or Commissions on SALW with a mandate to coordinate all relevant initiatives undertaken.[111] These bodies are therefore the main institutional interlocutors and partners of non-government actors involved in SALW-related processes. As several analysts have underlined and some States declared themselves, these bodies play a crucial role in coordinating and supervising national initiatives, but also often appear to suffer from institutional weaknesses, to be feebly resourced by governments and to only benefit from limited prerogatives in terms of decision-taking. Where these institutions are side-lined or do not have a proper substantive role, they may well create an impression of civil-society access, but in fact may simply function as an additional barrier between non-governmental actors and actual decision-makers. This perhaps also serves as a reminder that it is quite possible to set up an apparently sophisticated national SALW control institutional framework but still do little to address actual SALW problems, and underlines the need to ensure that when scarce resources are allocated or structures established it is always with a view to maximizing impact.

Benefits of Civil Society Engagement

Moving beyond some of the difficulties that can beset non-governmental actors in Africa, and remembering again to be wary of over-generalizing, most analysts would agree that in at least three areas the direct, continuous and often spontaneous involvement of civil society actors in the different layers of African SALW-oriented actions has proved to be instrumental in improvements in SALW control in the last fifteen years. These can be summarized as:

- Sensitization, awareness raising, research and training of concerned communities and public opinion;
- Monitoring of governments' implementation of relevant regional and international commitments and obligations and national procedures[112];

[111] According to the UN PoA dedicated website and statements delivered by States during the last UN Biannual Meeting of States on implementation of PoA, at least 46 National Focal Points have been established in African countries (41 of which are in Sub-Saharan Africa, including Seychelles and Mauritius, both African Union Member States).

[112] This has been the case, for instance, in the ECOWAS sub-regional space, where civil society's action was fundamental in accelerating the process of transforming the 1998 politically-binding Moratorium into the 2006 legally-binding Convention.

- Maintaining the political momentum of national, regional and international initiatives and processes addressing SALW related challenges, and pressing states to continue prioritizing the issue.

Despite its limitations, the non-governmental contribution in the security domain is valuable and emerges from a combination of the evolution of the African contexts and the assets specific to civil society members. These can be described as:

a. The evolving nature of conflicts in Africa since the end of the Cold War, increasingly shifting from state-to-state war to intra-state confrontation fought among the people and involving several parties. As a result of this trend, states' capacity to identify space for negotiation has decreased, making the participation of actors directly connected with communities experiencing the conflict (or armed violence) a fundamental factor in establishing dialogue, elaborating responses and implementing solutions.

b. State authority and presence, especially in zones affected by long-standing conflicts, are often limited, and sometimes purely nominal. But civil society actors—in particular those living in the affected zones—are deeply implanted within the communities and, as a consequence, more effective in engaging in dialogue with key-players in these areas. Partnership with civil society can create a concrete opportunity for states to regain access to conflict- or armed-violence- affected zones and open space for dialogue with those parties to be targeted by its initiatives. In parallel, non-governmental engagement can provide opportunities for governments to better promote their initiatives and reinforce ownership by concerned groups and communities.

c. The diversity of the civil society community guarantees a diversity of experience, knowledge, sensitivities and background. This diversity represents a useful set of assets in itself, as conflicts and violent crimes are the expression of complex and intertwined dynamics best addressed by adopting multi-discipline responses. The inclusion of non-governmental actors in SALW and broader conflict prevention/resolution-related initiatives can therefore provide invaluable support for African states, many of which suffer from some form of institutional weakness.

d. Non-governmental actors are not restrained—as governments are—by national borders and territorial jurisdictions. This flexibility increases potential for involvement in regional and international processes, for developing relationships with a wider range of partners, and for learning opportunities. Engagement with civil society therefore also offers states the possibility to assimilate this experience available on the regional and international level.

In a few specific contexts some who claim civil society membership are, in fact, government controlled or influenced—and hence are not able to play a truly complementary role—or are too weak from an organizational point of view to resist manipulation by government or other political forces. Overall, however, most analysts and observers consider that non-government participation in SALW initiatives generates positive outcomes and, despite the recurrent difficulties noted, adds value to governments' and international stakeholders' action.

However, as set out above, there are a number of challenges to meaningful civil society engagement in SALW control. More must be done, therefore, to promote and support such participation at all

stages, from problem identification and project development right through to implementation and project evaluation. This will require, *inter alia*:

- reinforcement of civil society capacities;
- active promotion of the principle that civil society is a legitimate stakeholder in the field of SALW control, including *local* civil society actors;
- the opening up of institutional spaces for collaboration with governments, e.g. by including non-governmental actors in project-design, lessons-learned processes etc.;
- the promotion of transparent practices at all levels.

Great care must be taken to ensure that civil society participation is not mere tokenism. To this end, it is critical that civil society has access to the real decision-makers within governments. Moreover, this access should not be limited only to international or "Northern" non-governmental actors. Specifically African civil society too will require support and being championed as a legitimate participant. International donors and partners to African governments have a key role to play in this regard.

African Parliaments' Limited Involvement—An Obstacle to Participation by Non-Government Actors[113]

All sub-Saharan African states have legal frameworks regulating transfers and managing military equipment and firearms. Over the course of the last decade, a number have conducted reviews of their domestic normative frameworks, as part of efforts to implement regional agreements and up-date[114] and harmonize their relevant procedures. While consequent improvements to the law may better reflect the core principles contained in the regional agreements, only a few states have introduced new mechanisms reinforcing transparency and the involvement of parliaments to scrutinize and oversee governments' policies and actions. Typically, members of parliament (MPs) have only restricted opportunities to be involved in institutional SALW-control processes, and are not provided on a regular basis with data on transfers, stockpiles or relevant initiatives. While parliaments are generally requested to discuss and adopt the state's budget—including those lines dedicated to security agencies activities and procurements—virtually no African national legislation explicitly establishes oversight and scrutiny mechanisms by parliamentarians such as those existing in many European countries or in the US.[115] It would seem this is due to the perception, common to many African governments, of weapons management as highly sensitive and critical to national security, and therefore deserving to be classified as strictly confidential. This can be seen as an immediate demonstration of the very limited space African governments allow for non-governmental actors in the SALW-related debate, as well as an expression of the frequently weak democratic nature of African state systems.

[113] This paper does not analyze all existing African legislation and practices, partially because of the difficulty in terms of access to relevant documentation. Comments in this section emerge from the analysis of a number of cases (the majority of French-speaking countries and the majority of countries located in the Great Lakes Region) and from the author's previous experiences based on direct partnership with African Members of Parliaments.

[114] In many cases the adoption of regional agreements have proved the catalyst for the first change to national SALW and transfer legislation since initial adoption soon after the proclamation of independence.

[115] The majority of European Governments produce a report on activities related to arms trade, including data on export/import licenses and national manufacture. Such reports are regularly produced—according to provisions contained in domestic legislation—and submitted for discussion to parliament. A similar mechanism is in place in the US. South Africa represents the only African example where domestic legislation obliges the Government to regularly submit data to Parliament.

Parliamentary scrutiny and oversight is an important component of mature and efficient SALW control systems. This is an area that benefits from involving a range of relevant institutions and expertise in order to minimize the risk of possible misjudgment and misbehavior. Effective parliamentary oversight is widely accepted as an important feature of good governance. This is no less the case with regard to SALW control as any other area of government action. Specifically, useful functions that can be fulfilled by parliaments regarding SALW control include:

- elaboration of comprehensive normative frameworks (as part of parliaments' legislative mandate);
- holding government accountable for the implementation of and compliance with regional and international commitments and obligations;
- regular and independent monitoring of government's actions, with regard to individual international transfers of SALW;
- evaluation and assessment of "legitimate" and "necessary" imports, therefore increasing the state's capacity to avoid excessive accumulation and unnecessary spending;
- the use of scrutiny mechanisms to provide "early warning", reducing risks of corruption and procurements not compliant with the legal framework;
- promotion of government initiatives among beneficiary groups, taking advantage of MPs' closer relationship with their constituency;
- the creation of a solid and long-standing institutional space for government-non-governmental stakeholder dialogue and collaboration;
- appointment of parliamentary investigative bodies to guarantee more in-depth follow-up on problematic behaviors flagged by other independent entities.

Considering the fact that parliamentarians can play a crucial role in introducing relevant debates in the public space, hence facilitating dialogue between the public and the state, the exclusion of national parliaments from the elaboration and management of SALW policies and initiatives directly limits access to relevant information for all those outside the Government architecture. Moreover, it is easy to understand that as long as parliaments—a non-government body but indeed an official institution—do not enjoy the government's confidence, very few other non-governmental actors will have the opportunity to engage in constructive dialogue with the government in this thematic area.

African governments would be well advised to reconsider the role played by parliament in the area of SALW control. Other actors, such as other governments and international donors, should be encouraging such a reassessment. However, parliaments themselves should be agitating domestically to be given a greater role; all too often parliamentarians are showing little interest in wanting to play a greater role in overseeing SALW control policy. Or, where they do express such an interest, they appear disinclined to challenge a common government response that this is an area where parliamentary engagement is inappropriate. There is therefore a need to encourage parliamentarians in African countries to take the initiative and push governments to involve them more. Parliamentarians from countries where the legislature is actively involved in overseeing SALW policy may have a role to play here, for example bilaterally or through international parliamentary organizations.

Basic Principles in Shaping Interventions and Initiatives to Reduce SALW Proliferation and Misuse in Africa

The international focus on SALW proliferation, illicit circulation and misuse over the last decade has generated more than just political statements and agreements among states. In parallel with those

initiatives, many and varied tangible actions have been undertaken in parts of Africa and elsewhere. Examples range from very local and almost spontaneous initiatives to raise awareness among individual communities to broader projects supported by international donors and agencies. These may be tightly targeted interventions focusing on, for example the destruction of surplus SALW or improving physical storage conditions for national arsenals. Such measures are valuable and can have a tangible impact on people's lives, however not all interventions are simple to organize, nor do they necessarily allow for straightforward measurement. Moreover, if such initiatives are carried out without also attempting to address demand factors, the risk is that any gains will be short-lived; meaningful, sustainable change ultimately requires that both supply and demand factors are addressed. However, tackling demand in particular is a long-term process, and one where ascribing causal links between activities and outcomes is fraught.

Nevertheless, while measuring the impact of SALW-control programs and activities undertaken over the last decade or so is seldom an easy task, a number of lessons have been learned. It is important to take these into account and to identify the principles that should be applied in order to maximize the impact of future projects.

a. Analysis of the Local Context and Conflict-Driven Dynamics—a Prerequisite Step

Developing an in-depth knowledge of the area where one—state, local organization, international agency or individual—intends to operate is critical. Following this general rule, the first step before any (potential) SALW intervention in Africa should be a detailed analysis of the situation. As referred to earlier in this paper, each context will be unique, and engaging in a specific environment without a proper understanding of its peculiarities runs the very real risk of making no difference or even of making things worse. The analysis should seek out beneficiaries' opinions and take account of their needs and expectations. It should also be updated periodically throughout the life of the intervention, as many SALW programs are taking place in volatile and potentially fast-changing environments.

It follows that repeating activities successful in one context in a different arena is unlikely to generate the same result, unless relevant adjustments are made in order to shape the intervention according to the new setting.

Undertaking participatory analysis and developing an in-depth knowledge of a situation takes time and effort. This does not necessarily sit comfortably with understandable pressures to generate results quickly. Direct experience, however, shows that this is indeed a central component for effective engagement, and that a failure to take this seriously can undermine the best-meant plans. Part of this process will normally involve identifying local actors with whom to engage. Local engagement and ownership is an important component of most successful and sustainable interventions; once again, and for obvious reasons, it is critical that the groundwork is done to ensure that the "right" local partners are found. Inappropriate partnerships can negatively affect the level of ownership by beneficiary groups and communities, and trying to change local partners mid-project can be intensely problematic.

b. Inclusion of Actions within Broader Integrated National Strategies

We have already underlined that SALW proliferation is a complex and multifaceted phenomenon, often intertwined with other challenges such as the persistence of armed conflicts, general insecurity, lack of state authority, inappropriate law enforcement and perpetuation of social, economic and political exclusion.

Concrete and timely initiatives—such as arms collection programs, improvement of national stockpile infrastructure or destruction of surplus stockpiles—provide some, sometimes immediately visible, contribution to the broader process but alone can only generate partial results, both in terms of impact and medium/long-term sustainability, as they do not directly address the reasons why individuals or groups feel the need to possess weapons. It is hence fundamental to locate SALW-related initiatives within a broader context and as a contribution to an on-going process, rather than in isolation. Actions should be elaborated as components of more in-depth programs focused on conflict prevention, peace-building, post-crisis reconstruction, poverty reduction, good governance and institutional capacity-building integrated in a national strategic plan. It is also important that SALW-oriented actions are consistent with other initiatives, where they exist, pursuing objectives such as the establishment of more secure environments, the acceleration or the reinforcement of conflict resolution and the creation of social re-integration for those who have been directly involved in conflict (such as Security Sector Reform and Demobilization, Disarmament & Re-integration programs).

Including SALW initiatives in broader and long-term strategies also provides an opportunity to enlarge the basis for partnership with local stakeholders and therefore contribute to broader local ownership of the initiatives.

c. Transparency

The psychological effects of SALW and security-related initiatives are fundamental, as the perception of security (or insecurity) of communities is one of the main reasons explaining their militarization and the growth of demand for weapons. Especially in contexts characterized by inter-community tensions and high rates of armed violence by non-state actors, SALW-reduction actions must avoid creating the impression of being asymmetric or biased in favor of one or some groups. Recent experiences—not limited to the African context—have supported the idea that initiatives have a greater chance of generating positive outcomes when the "audience" is involved on the basis of voluntary participation and those taking part to the initiative directly perceive the benefits of the action. The degree of involvement of every actor involved crucially depends on the benefits he/she anticipates will flow from the activity, both from an individual and a community point of view; should the initiative fail to create concrete expectations or should it contribute to a perception of discrimination, the chances of success will be undermined from the start.

Transparent management of all layers of the initiative—from feasibility studies to consultations with local partners and authorities, from recruitment of the national staff to communication on the practical aspects of the initiative prior to launch—is therefore fundamental in order to guarantee genuine ownership by targeted actors. Experience suggests that initiatives perceived as non-transparent are likely to generate counter-productive side-effects as they tend to erode ownership by targeted groups and, in parallel, fortify the perception of insecurity.

As mentioned above, transparency should also be a central element in the management by governments of SALW practices, particularly when the state may be perceived as part of the problem, since it stands as a necessary prerequisite to an inclusive approach and materialization of favorable conditions for a deeper involvement of civil society actors. Initiatives should therefore contain a strong transparency component, not only for the sake of their own actions, but also to provide to local-government partners concrete opportunities to gain familiarity with this principle and appreciate the added value it can generate.

d. Accountability and Measurability of Impact

Different partners to a project will bring different capacities and know-how, and will operate according to different prerogatives, objectives and backgrounds. To maximize the benefit and minimize the challenges of working with a pool of different partners, initiatives should be elaborated on the basis of a clear partition of tasks and responsibilities of each stakeholder. In addition, interventions should be designed with a clear view of the overall aim and specific objectives and of the nature and scale of expected outcomes. Such an approach promises, among other benefits:

- the possibility of timely evaluation of results generated at each stage and, if relevant, of readjustment of those components delivering different or weaker results than expected;
- to build specific know-how, maximizing the value of lessons learned and creating a reservoir of experience to be used in future initiatives;
- more accurate measurement of results and better consolidation of them through appropriate communication tools, in particular among beneficiaries and targeted communities.

Introducing and supporting principles such as accountability and task-sharing also appear to be crucial with the view to give a clear sense of responsibility and to increase the ownership by local actors and beneficiaries, as well as to prevent tensions among the different groups involved in an initiative.

The adoption of accurate indicators facilitates accountability in the management of programs and the communication of achieved results with donors, partners, involved communities and other stakeholders. However, quantifying the impact of SALW initiatives is extremely challenging, partly because of the difficulty of identifying clear indicators of change. Certain types of initiatives do lend themselves to quantitative measurement, e.g. guns collected and/or destroyed as part of a disarmament or surplus-destruction process, however these are rather limited indicators of success. Ultimately, the true measure of success is whether harm is reduced and people are/feel safer, but measuring this and then attributing cause is very challenging. The collection of guns may contribute to such an outcome, but if new small arms are being imported at the same time, or those firearms still in circulation are more likely to used be used to harm or threaten individuals or communities, then using the "guns collected" figure as indication of success is clearly flawed. Or it may be that a willingness to hand in firearms is itself an outcome of a reconciliation process, or more effective security provision by the state. Measuring impact is very complicated, however promoting initiatives without accurate ways to properly measure outcomes reduces the opportunity to exploit positive experiences and can lead to misjudgments being duplicated; which could ultimately undermine the will of stakeholders to maintain a high-degree of involvement on SALW matters. This is an area which up until now has received inadequate attention; more work is needed on this in future.

Conclusion

SALW proliferation and misuse is a huge problem in many parts of sub-Saharan Africa. The manifestations of that problem, however, are far from uniform. The central issue may be *inter alia* inter-communal tensions, armed criminal violence, armed conflict (inter- or intra-state), or the emergence of terrorist groups. Then within each of these broad categories, each case will have its own peculiarities, to the point where importing techniques used successfully to mitigate harm in one context to another situation will probably at best result in disappointment, and may in fact make things worse.

In response to these problems there have been many interventions by a multiplicity of actors. Some of these have made a real difference to peoples' lives, however in too many cases impact has been disappointing. The reasons for this are many, ranging from lack of political will to lack of resources, from failure to properly understand the situation to failure to locate the SALW intervention within a broader context (e.g. conflict prevention, governance).

This paper examines the nature of the SALW problem in certain African contexts. While acknowledging and in fact highlighting the fact that no two circumstances are the same and that therefore to expect generic SALW interventions to be successful would be unrealistic, it seeks to identify where similarities do exist, and whether there are any general principles that might be useful in guiding interventions in future.

In particular the paper considers the role that non-government actors have played in SALW-oriented programs and initiatives in Africa over the last decade, examining both the difficulties they have faced and the benefits that civil society engagement can bring.

Ultimately it argues that civil society has a key role to play in mitigating the pernicious effects of SALW proliferation in Africa, and identifies a number of principles that should guide SALW control efforts in Africa which, if followed, should improve their quality and impact. These include:

- Any intervention should first involve an in-depth, conflict-sensitive analysis of the context, taking full account of the broader context, identifying all key actors and potential local partners, drawing on lessons-learned, etc. This should include in order to fully understand the less immediate components of the local challenges, to evaluate the interaction of the initiatives with this very context, to identify the most appropriate local partners, and to design programs exploiting lesson learnt and avoiding duplication of action and misjudgments;
- Interventions and programs need to be designed and implemented with constant reference to the goal of making improvements to individuals' and communities' lives and security. The bureaucratic temptation to establish structures and processes for their own sake should be strenuously resisted. Identification of the real decision-makers and explicit acknowledgement and targeting of them in program design and, where appropriate, implementation, is one way of retaining this focus;
- SALW-oriented actions must be cast in the context of other relevant interventions, with designers and implementers seeking to engage with those involved in other programs on an ongoing basis. Other relevant programs are likely to include those targeting, for example underlying causes of violence, socio-economic exclusion, under-development, post-conflict reconstruction, security sector reform and poverty. Interventions that treat SALW in isolation, or that limit themselves to addressing only technical issues while ignoring for example, the factors driving demand for SALW, are likely to be of limited benefit and of limited sustainability;
- Interventions should seek to maximize local ownership and participation. This should include involving local actors (governmental and non-governmental as appropriate) in a meaningful fashion at all stages of the process, from design through implementation to evaluation and follow-up;

- Maximizing transparency, again at all stages of the process, is a critical factor in combating the suspicion, mistrust and fear that can permeate efforts at SALW control in insecure environments;
- Designing for flexibility and providing for ongoing monitoring throughout the life of programs are key to ensuring continued relevance and maximizing prospects for success in what are typically difficult and fast-moving environments;
- Periodic and post-intervention evaluation should be a fundamental part of program design. The benefits in terms of accountability and credibility with local communities should not be underestimated, and this also provides a valuable "lessons learned" resource for other SALW and related initiatives in future. Note, however, that the very nature and complexity of SALW problems complicate efforts to design meaningful indicators of success and the causal links between activity and outcome; this is an area on which more work is needed.

While SALW proliferation and misuse is just one factor among many undermining the security of populations in many parts of sub-Saharan Africa, it is an important one. Designing and implementing effective interventions to mitigate SALW problems is difficult, as is accurate measurement of the impact of those interventions, but if done well is worth it, as this can make a real positive difference to the lives of vulnerable individuals and communities. By adopting the recommendations contained herein, donors and implementers will be maximizing their chances of making that positive difference.

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Tshitereke C, *Accountability and Oversight: the Role of Parliament in Arms Transfers*, www.iss.co.za/uploads/GUARDTSHITEREKE.PDF, Institute for Security Studies, 2003

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SECTION FIVE:
HIV AND AIDS IN SUB-SAHARAN AFRICA:
THE IMPACT ON SECURITY AND STABILITY

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Abstract

The current and long-term impact of HIV and AIDS in sub-Saharan Africa amounts to a gathering storm of dislocating population dynamics, reverse economic development, political upheaval and military disintegration. The epidemic is having a profound impact on the security, stability and structure of sub-Saharan African nations and on the continent as a whole. Efforts to ameliorate the effects of the epidemic have been led by non-governmental organizations (NGOs). Responding to the next generation of threats to African security will require more rational divisions of labor among NGOs, governments and militaries. The purpose of this essay is threefold:

1. to assess the impact of the HIV and AIDS epidemic on the security and stability of the nations of sub-Saharan Africa;
2. to describe the challenges faced by NGOs, governments, militaries and communities as they address the causes and consequences of the epidemic;
3. to consider the prospects for collaboration among NGOs, governments and security forces in Africa.

HIV and AIDS Worldwide

HIV and AIDS form the deadliest epidemic of our time, the world's paramount health crisis. According to data gathered by the World Health Organization and the Joint United Nations Program on HIV/AIDS (UNAIDS), more than 42 million people are currently living with the human immunodeficiency virus. Since 1981, over 25 million men, women and children have lost their lives to acquired immunodeficiency syndrome. [116] [The terms 'HIV' and 'AIDS' are too often used interchangeably. The distinction is that the human immunodeficiency virus (HIV) is a pathogen that causes the set of symptoms known as acquired immune deficiency syndrome (AIDS). AIDS is a disease of the immune system caused by HIV. People do not die from HIV itself, but from the many infections associated with AIDS.]

AIDS kills more people than any other infectious disease; it is the fourth-leading cause of death worldwide. Globally, the disease is now at its highest level and gaining ground: in 2008 alone, over five million individuals became newly infected, an average of 14,000 persons every day. Three million died of the disease that year, including 380,000 children. The UN estimates that by 2011 there will be 25 million children orphaned by AIDS. At the end of 2008, women accounted for 50 percent of all adults living with HIV worldwide.[117]

The Epidemic in Africa

The threat to sub-Saharan African institutions and structures stems in large part from the sheer scale of the HIV and AIDS epidemic. Since its beginning, the epidemic has had a disproportionately high

[116] UNAIDS. 2009. *Report on the Worldwide Epidemic 2009*. New York: UN Publications. unaids.org

[117] UNAIDS. 2009.

impact in sub-Saharan Africa. The region has just over ten percent of the world's population, but is home to more than 60 percent of all people living with HIV—25.8 million individuals.[118]

AIDS is now the leading cause of death in sub-Saharan Africa; since the beginning of 1981, more than 15 million Africans have died from AIDS. In 2008, sub-Saharan Africa accounted for 68 percent of all new HIV infections among adults and 72 percent of the world's AIDS-related deaths.

The region has over 90 percent of new HIV infections in children. Fourteen million African children have lost one or both parents to the epidemic, and nearly two million children are living with HIV.[119]

In 2007, UNAIDS assessed HIV prevalence among those aged 15 to 49 around the world. The rate was 0.6 percent in the U.S. By contrast, the rate for Swaziland was 26.1 percent, for Botswana 23.9 percent, for Lesotho 23.2 percent, and for South Africa 18.1 percent. The nine countries with the highest prevalence of HIV are all in southern Africa. Swaziland is the most heavily affected nation in the world. South Africa has the largest national HIV-positive population: 5.7 million individuals.[120]

Researchers have described the epidemic in Africa as proceeding in three 'waves:' the first is widespread infection with HIV. The second is disease and death from AIDS. And the third is the political, economic and social impact. At this moment, infection rates in many areas of Africa have stabilized. Morbidity, mortality and suffering are now widespread, especially in southern Africa. But the true impact of the epidemic on societies, economies and governments has yet to be felt. For now and for the foreseeable future, HIV and AIDS constitute the most significant issue to be faced by most of the nations of sub-Saharan Africa. [121]

Human Security

Of the many ways to assess the extent of the impact of the HIV epidemic on the stability of African nations, perhaps the most useful draws on the emerging concept of 'human security.' Human security is a developing method of complementing the traditional notion of national security, positing that the proper referent for security should be the individual rather than the state. Human security seeks to bring together the essential components of development and security. It assumes that too often militaries do not address the underlying causes of violence and insecurity, while development workers underestimate the threat of violent conflict.

The United Nations Development Program's (UNDP) 1994 "*Human Development Report*," argued that global security should be defined as 'human security,' including:

- economic security: basic income and opportunities for employment;
- food security: logistical and economic access to basic foods;
- health security: minimal protection from disease and malnutrition, access to clean water and rudimentary health services;
- environmental security: protection from man-made threats in nature

[118] AVERT. 2010. avert.org

[119] UNAIDS. 2009.

[120] UNAIDS. 2008. *Report on the Worldwide Epidemic 2008*. New York: UN Publications. unaids.org

[121] de Waal, A. 2003. How Will HIV/AIDS Transform African Governance? *African Affairs* 102: 1-23.

- personal security: protection from physical violence;
- community security: preservation of traditions; prevention of sectarian or ethnic violence;
- political security: basic human rights; freedom from oppression.[122]

The notion of human security is often portrayed as an alternative to the concepts of traditional security. In fact, they are not mutually exclusive and rarely operate in isolation from each other. Without elements of human security, traditional security is unlikely to be realized and vice versa.

The connections among HIV, human security, and traditional security are elucidated in a report by the United States National Intelligence Council, which found that:

- The impact of HIV and AIDS provokes political polarization and social fragmentation in less developed countries.
- There is a real causal relationship between HIV and political instability.
- Infant mortality correlates directly with political instability.
- In sub-Saharan Africa, as the epidemic reaches into military and political elites, contests for increasingly scant state resources will intensify. This will impede the development of civil society and threaten democratic institutions and transitions.[123]

Using the lens of human security, it becomes apparent that the HIV and AIDS epidemic is having a profound impact across most sectors of sub-Saharan life, including:

- population dynamics
- households and food security
- education and children
- military and police readiness
- economic development
- politics and governance.

This feature of the epidemic – its impact across sectors, classes, organizations, associations, economies and governments – is what makes it singular and relevant to African, U.S. and global security. [124]

Impact on Population Dynamics

As early as January of 2000, a Central Intelligence Agency National Intelligence Estimate on threats posed by infectious diseases found: " ….the hardest-hit countries, initially in Africa….will face a demographic catastrophe as HIV/AIDS and associated diseases reduce human life expectancy dramatically and kill up to a quarter of their population. This will further impoverish the poor, and often the middle class, and produce a huge and impoverished orphan cohort unable to cope and vulnerable to exploitation and radicalization." [125]

[122] UN Development Program. 1994. *Human Development Report.* New York: UN Publications.

[123] United States Government, National Intelligence Council. 2000. The Global Infectious Threat and Its Implications for the United States. Washington, D.C.: NIE 99-17D.

[124] Henry J. Kaiser Family Foundation. 2007. The Multisectoral Impact of the HIV/AIDS Epidemic.

[125] CIA. 2000. *The Global Infectious Disease Threat and Its Implications for the United States. cia.gov*

In many countries, AIDS is erasing decades of progress in extending life expectancy. Average life expectancy in sub-Saharan Africa is now 47 years; it would be 62 years without AIDS. In less than ten years, many countries in southern Africa will see life expectancies fall to near 30, levels not seen since the nineteenth century. [126]

By 2011, the populations of five countries - Botswana, Mozambique, Lesotho, Swaziland and South Africa - will have started to shrink because of the number of people dying from AIDS. In two more countries, Zimbabwe and Namibia, the population growth rate will have slowed almost to zero.[127]

The impact is partly attributable to child mortality as increasing numbers of babies are born with HIV infections acquired from their mothers. Fertility rates and live births are decreasing because HIV-positive women have reduced fertility and HIV-positive children are not as likely to reach child-bearing age.

But the biggest increase in deaths has been among adults aged 20 to 49. This group now accounts for 60 percent of all deaths in sub-Saharan Africa, compared to 20 percent between 1985 and 1990. By affecting this age group so heavily, AIDS is hitting adults in their most economically productive years and removing people who could be addressing the crisis. [128]

Average life expectancy in 11 African Countries (age in years): [129]

Country	Before AIDS	2010
Angola	41.3	35.0
Botswana	74.4	26.7
Lesotho	67.2	36.5
Malawi	69.4	36.9
Mozambique	42.5	27.1
Namibia	68.8	33.8
Rwanda	54.7	38.7
South Africa	68.5	36.5
Swaziland	74.6	33.0
Zambia	68.6	34.4
Zimbabwe	71.4	34.6

Households and Food Security

Across sub-Saharan Africa, the people most vulnerable to infection are those who have been the most active economically. As these household providers become ill, savings and goods are used up for their care. When they die, households and extended families descend further into poverty. AIDS often causes a household to disintegrate as parents die and children are sent away. Children may be forced to abandon their education and women may be forced into sex work. [130]

[126] AVERT. 2010. avert.org

[127] AVERT. 2010. avert.org

[128] UNAIDS. 2008.

[129] Avert. 2010.

[130] Commission on HIV/AIDS and Governance in Africa. 2005. *Africa: the Socio-economic Impact of HIV/AIDS.*

A person's ability to earn income from work declines at precisely the time new medical costs are likely to be incurred. This intersection threatens a family's ability to pay for food and education, to invest and save. Reduced household incomes lead parents to spend more and more on food and health care, less and less on investment and school fees. In South Africa prior to the epidemic an average household spent four percent of its income on health care; today, that figure is nearly one-third.[131] The children of these parents have less opportunity and little capital to bequeath to their own children.

Over the past 30 years, Africa has moved from being a significant exporter of food to being a net importer. AIDS is a major reason.[132] The majority of people in the countries most affected by HIV live in rural areas, dependent on small farms for subsistence and income. Because of agriculture's dependence on labor, illness and death directly affect productivity, types of crops planted, crop yields, rural household incomes and, ultimately, food security. A lack of food is exacerbated by, and contributes to, the effects of the epidemic. By 2020, several sub-Saharan African nations will lose 25 percent of their agricultural workforce. It is likely that such losses will result in further shortages of food leading to increases in malnutrition and weakness, in turn creating greater susceptibility to infectious disease, including HIV.[133]

Projected loss in agricultural labour force through AIDS in the nine hardest-hit African countries, 1985-2020

Education and Children

The AIDS epidemic has unfortunate effects on both the demand for, and the supply of, education. Child disease and death, removal of children from school by affected families and the growing number of orphans, conspire to reduce the number of children seeking education. The perceived likelihood that a child will die before reaching adulthood makes educating that child less attractive for a family, even if the parents are not infected.[134] Projections indicate that by 2016, Swaziland will see a 30 percent reduction in its primary-school population.[135]

HIV and AIDS have gutted the ranks of teachers in Africa; one study in South Africa found that 21 percent of teachers aged 25 to 34 were HIV positive. In Zambia, 60 percent of teacher absences are related to the epidemic.[136]

Addis Ababa: Un Economic Commission for Africa.

[131] Steinberg et al. 2002. *Hitting Home: How households cope with the impact of the HIV/AIDS epidemic.* Washington, D.C.: The Henry J. Kaiser Foundation.

[132] Maich, S. 2010. The Fight Against AIDS Could Be Won With More Government Money. In, *AIDS in Developing Countries*. Farmington Hills, Michigan: Greenhaven Press.

[133] UN Food and Agriculture Organization Commission on World Food Security. 2001. *The Impact of HIV/AIDS on World Food Security*. Rome: UNFAO.

[134] Commission on HIV/AIDS and Governance in Africa. 2005.

[135] Government of Swaziland. 1999. *Assessment of Impacts on the Education Sector.*

[136] UNAIDS. 2006. *Report on the Global AIDS Epidemic 2006*.

Because basic education ranks among the most effective means of preventing HIV, this constitutes a double tragedy. Inadequate education results in low adult productivity. A large, poorly educated segment of the population, combined with the growing orphan cohort, will aggravate already significant inequalities.[137]

HIV and AIDS deprive children not only of their parents but of their very childhoods. As adults become ill, children assume more responsibility for providing income and care. It becomes even more difficult for such children to obtain basic health care, food and shelter. By 2012, only 28 percent of South African children will be living with both parents; nineteen percent will have lost both parents. In Sierra Leone, five times as many children have been orphaned by AIDS as by violent conflict. [138] Orphans are four times more likely to contract HIV than their peers who have parents.[139]

An astute observer of the effects of HIV and AIDS on African children has said, "On the streets of a growing number of nations, rootless, uneducated, unnurtured young people threaten to form a lost generation of potential recruits for crime, military warlords and terrorists."[140]

Impact on Military Readiness

Speaking before the Senate Armed Services Committee, the head of U.S. Africa Command, General W.E. Ward testified, "HIV/AIDS is a military force generation and sustainment problem for African forces and is a risk to African security and stability." [141]

Alex de Waal, commenting on Africa, notes, "HIV/AIDS undermines the state's monopoly on violence. Soldiers and policemen are among the occupational categories with the highest prevalence of HIV. Typically, HIV levels among the upper-middle ranks are the highest, often in excess of 40 percent. With this level of attrition, the level of readiness of armies and police forces is reduced. Unit cohesion is undermined as the only way of forming full-strength units is by merging different units. This is already contributing to a crisis in international peacekeeping. Even with more modest rates of HIV prevalence, high-skill complex institutions such as armies become less viable. They are classic cases of long career path organizations, reliant on skilled, specialized and experienced personnel, and the integrity of units that have served together for extended periods. Special units such as air forces may simply cease to be viable as institutions because it simply becomes too expensive to train two or three candidates for every position that needs to be filled. Police forces are similarly affected."[142]

At these levels, militaries are becoming structurally and functionally disabled; organizational and performance capacities are largely destroyed. Militaries and armed opposition groups are perceived, with good reason, as agents of rape, sexual abuse and the spread of HIV. As that perception grows,

[137] World Bank. 2002. *Education and AIDS: A Window of Hope. New York: World Bank.*

[138] Schneider, M. and Moodie, M. 2004. *The Destabilizing Impacts of HIV/AIDS*. Rome: UN Food and Agriculture Organization.

[139] Epstein, H. *The Invisible Cure: Africa, the West and the Fight Against AIDS*. New York: Farrar, Strauss, Giroux

[140] Schneider, M. and Moodie, M. 2004.

[141] Ward, General W.E. 2009. *Annual Posture Statement.*

[142] de Waal, A. 2003.

militaries lose the respect and support of the people and institutions they are meant to protect and defend. Already weak governments will be crippled in their efforts to keep criminals, guerillas and warlords from taking advantage of a debilitated populace and military.

Challenges to sub-Saharan militaries include:

- assignments far from home
- lack of command emphasis on HIV and AIDS education, testing and treatment
- frequent commercial sex
- injection drug use
- reliance on traditional remedies
- illiteracy
- rape and abusive sex as common practice
- tattooing
- unscreened field blood transfusions
- non-sterile medical injections
- risk-taking behavior among soldiers who are convinced of their impending death.[143]

In Africa, there is a strong geographic correlation among the zones most affected by AIDS and areas of famine and armed conflict. As national security forces and international peacekeeping missions are weakened by their particular susceptibility to the epidemic, domestic political stability is threatened and conflicts are apt to become more frequent and more intense.

The end of conflicts may only present further opportunities for instability. Nations emerging from conflict typically face increased demands for health care. Thousands of unskilled young men find themselves suddenly unemployed and available for recruitment to secondary conflicts, crime and terrorism.

Concentrations of migrant or refugee populations further strain health-care capacities and create new ground for the spread of disease. Refugee populations and internally displaced persons – many single women and unaccompanied children – are particularly vulnerable to being pressured into having sex or being raped. In the early stages of conflict situations, when a large number of refugees are on the move, their need for food and other basic necessities can be acute. Exchanging sex for money or food can be commonplace.

The epidemic also poses a significant threat to international peacekeeping operations. Such troops are five times more likely to contract HIV during assignment, thereby becoming powerful agents of transmission when they return home.[144] As they become perceived as carriers, peacekeepers are less welcome and less respected by the populations they are meant to protect. The impact on police and

[143] Miles, S., MD. 2003. "HIV in Insurgency Forces in sub-Saharan Africa." In *International Journal of STD and AIDS* 14:174-178.

[144] Miles. 2003.

the judiciary is likely to lead to losses in government capacity for maintaining law and order. As early as 1999-2000, AIDS was responsible for 75 percent of police deaths in Kenya.[145]

The deepening weakness of African militaries will threaten U.S. strategic interests as articulated in the United States Africa Command's priorities: sub-Saharan populations will become more susceptible to the threat and the appeal of terrorist ideologies; a vast cohort will be available for recruitment into insurgencies, terror networks and criminal enterprises; capacity for drug interdiction by coastal African nations will be weakened.[146]

There is also the possibility of cross-border incursions taking advantage of incapacitated militaries and popular disaffection with government forces. U.S. forces in the area might well feel the need to defend themselves and their compatriots resulting in the United States being drawn into an armed conflict where it has no real strategic interest.

The conflict in the Democratic Republic of Congo stands as a powerful demonstration of what can happen when fractured, sickened, demoralized militaries choose to perpetuate killing, rape and plunder for personal aggrandizement.

Economic impact

The HIV and AIDS epidemic has become the single most important cause of reverse economic development in the world.[147] It is entirely conceivable that AIDS, added to the substantial difficulties already confronting sub-Saharan African nations, could produce a progressive collapse of African economies.

AIDS in sub-Saharan Africa has reached the point of generating reverse negative per capita GDP. As GDP shrinks by 5 percent, competition for increasingly limited resources and services becomes ferocious. Estimates suggest that the impact of AIDS on the GDPs of the worst affected countries is a loss of around 1.5 percent per year; after 25 years, such economies will be 30 percent smaller than would otherwise have been the case. [148]

A key hallmark of national stability and security is a broadening middle class. Conversely, as what passes for a middle class in Africa constricts and weakens, inequities are intensified and the potential for disruption grows. Negative development is accelerated because:

- AIDS disproportionately disables younger workers who should be in the prime of their productivity.
- Rising rates of pediatric mortality represent lost investment: a child who dies at five years of age is a significant net loss.
- Relatively wealthy working-class professionals are disproportionately affected: educators, large farmers, bureaucrats and (significantly) shippers and transport officials.
- As children lose parents they are more likely to drop out of school.[149]

[145] UNFAO. 2001.

[146] United States Africa Command. www.africom.mil.

[147] UNAIDS. 2008.

[148] Greener et al. 2004. "The Impact of HIV/AIDS on Property and Inequality." In *The Macroeconomics of AIDS*.

[149] Steven Miles, M.D. 2010. Interview. August.

The huge long-run economic costs of the epidemic are largely due to the destruction of human capital: education, skills and transfers of knowledge across generations. The Commission on HIV/AIDS and Governance in Africa has stated, "AIDS selectively destroys human capital, that is, people's accumulated life experiences, their human and job skills and their knowledge and insights built up over a period of years."[150]

The economies of the worst affected countries were already struggling with development challenges, debt and declining trade before the epidemic. Through illness and death, AIDS reduces both the supply and the capacity of labor. Reduced supplies of labor have substantial consequences for the capacities of private-sector enterprises. Productivity declines and costs rise due to absenteeism, higher medical and benefit coverage, funeral costs, employee attrition, expenses associated with recruiting and training new staff. Impacts can be even more pronounced for the vast 'informal' economic sector including small self-run businesses.[151]

By making labor more expensive, AIDS limits the ability of African countries to attract industries that depend on low-cost labor. Under the influence of the epidemic, economies will have a tendency to shift back to dependence on unskilled sectors such as mining, black-market or informal trading and international aid. There will be greater and greater inequality. Some will benefit by virtue of their health or their ability to seize a greater share of an ever-decreasing surplus of income, goods and services. Holders of large areas of land with healthier families will be able to purchase smaller holdings from families victimized by the epidemic. Increasing concentration of wealth in large commercial farms and in mineral extraction operations presents greater opportunities for corruption and other economic abuses.

In many areas of southern Africa, employers hire two people for each job opening since the odds against one living long enough to return the investment in training. Investors, African and international, have for over ten years been reducing their commitments to areas most affected by the epidemic. Ironically, the full economic impact of HIV and AIDS is currently forestalled by the short-term infusion of relief funds and the presence of an artificial NGO economy.

Politics and governance

It is true that thus far the tragedy of infectious disease in general and AIDS in particular has not, in and of itself, caused political upheaval in sub-Saharan Africa. So far, the epidemic has been a health and humanitarian crisis. But in the next ten to twenty years, consequences will manifest themselves in the integrity of African governments and institutions, politics and economies, armed conflict and criminal activities.

The nightmare scenario is that the future of sub-Saharan Africa looks like the current situation in the Democratic Republic of Congo: a government and military unable to control thousands of loosely supervised rebel soldiers with a cohort of criminals competing for control of the country's vast mineral reserves. This conflict, more than any other, is characterized by systematic rape and sexual abuse of local populations. Over 15,000 rapes are reported in Congo each year; given the reluctance to report such assaults, the actual incidence must be many times higher. In September of 2010, the

[150] Commission on HIV/AIDS and Governance in Africa. 2005.

[151] World Economic Forum. 2004. *Business and HIV/AIDS*.

UN reported that in the previous August, 500 systematic rapes were committed by armed combatants in eastern Congo.

The development of democracy in Africa depends to a large extent on transitioning access to political opportunity from a closed elite to a broader and more pluralistic population. By creating a siege mentality among current office-holders, the epidemic retards this process. As governing groups become younger and smaller, there may well be a tendency toward re-centralization, dependence on coteries, and corruption. In the face of a continental catastrophe, the development of democracy and orderly transitions of power may come to be seen as the luxuries of a better time.

In addition, sub-Saharan African states often experience a rolling series of man-made and natural disasters. The HIV and AIDS epidemic is not the only disaster of this era. It is almost certain to be accompanied and aggravated by future calamities: weather, famine, conflict, human rights abuses, and political upheavals.

As sickness and death affect more and more families, there is increasing temptation for officials of all kinds – government, military, NGOs – to use their positions of relative privilege to favor their extended families with access to anti-retroviral treatment, subsidized housing and general health care. Struggles over control of HIV and AIDS programming and funding could easily become more intense and more ruthless.

Incentives for positive and productive behavior have less appeal. Deterrents to criminal, violent or corrupt behavior will carry less force. Institutions and bureaucracies essential to building a successful state are thrown into disarray. The establishment of democratic structures and mechanisms becomes even more daunting. Opportunities abound for radical alternatives, messianic religion and political demagoguery. Efforts to reduce poverty and extend human rights will receive less and less attention.[152]

As the epidemic progresses, it is entirely reasonable to anticipate that the gap between the elderly leadership of most African nations and the increasing youth of the general population will widen. Dissatisfaction with the efficacy of the response to the epidemic could turn into generalized disaffection with governments. Such a rift is likely to be exploited by the adherents of fundamentalist religious philosophies, proponents of radical political change or cult-of-personality demagogues. Responsible elements of civil society, including African and international NGOs, must take it upon themselves to ensure that this rift is instead bridged by progressive and competent government institutions.

The Role of Non-governmental Organizations

The response to the epidemic has been led by NGOs, international and African. NGOs have devised and implemented national, regional and local regimens for HIV and AIDS prevention, education, treatment and care. And, as the impact of the health crisis on governance deepens, it falls increasingly to NGOs and other elements of civil society to press for continuation of political reform, for equality of access to opportunity, for representative and participatory government, for transparency and anti-corruption efforts, for justice and human rights.

[152] de Waal. 2003.

The operating principles which NGOs have articulated for themselves include:

- meaningful involvement of infected individuals and affected communities in all aspects of the response to HIV and AIDS
- promotion and protection of human rights
- contributing to sustained public health capacity
- addressing the root causes and basic consequences of the epidemic
- apportioning resources based on the needs of those most vulnerable
- programming informed by scientific evidence
- transparency of program and financial decision-making
- accountability to affected communities and constituencies
- clarity of mission and objectives
- non-discriminatory and equitable access to prevention, treatment and care
- identification and scaling up of successful interventions
- enabling affected communities to provide for their own ongoing care
- confronting and reducing stigma
- voluntarism
- gender equality.

Challenges

The analytical and practical dilemmas faced by NGOs attempting to provide HIV and AIDS prevention, treatment and care to individuals and communities in sub-Saharan Africa include:

- Limited funding and resources. UNAIDS estimates that the amount of funding required to address the epidemic in developing countries is $23.6 billion per year. The amount made available from private and public sources in 2009 was $15.9 billion, a $7.7 billion shortfall. In developing nations worldwide, nearly 5.2 million people are receiving antiretroviral drug therapy. Those costs are barely covered by current funding. But at least five million more people are in urgent need of such treatment. In some countries of sub-Saharan Africa, people seeking antiretroviral drugs are being turned away.[153]
- Inadequate infrastructure and transportation capacity for the delivery of goods and services.
- The perceived dichotomy between ethics and efficacy, such as between abstinence and condoms.
- Pressure to work within a prevailing community norm, such as tolerance for multiple sex partners, or to try to change behaviors.
- The question of whether to accept funding and partnerships with governments and militaries.
- The dilemma of whether to offer services to members of armed opposition groups.
- Provision for the physical security of aid workers.
- Prevention of artificial and unsustainable alterations to local and regional economies as a result of influxes of aid and relief workers.

[153] UNAIDS. 2010. XVIII AIDS Conference. Vienna. July.

- Identification of programs that are successful enough to warrant scaling up and duplication; deciding whether the success of a program is limited to the place and time of its implementation.

NGO Activity in Africa

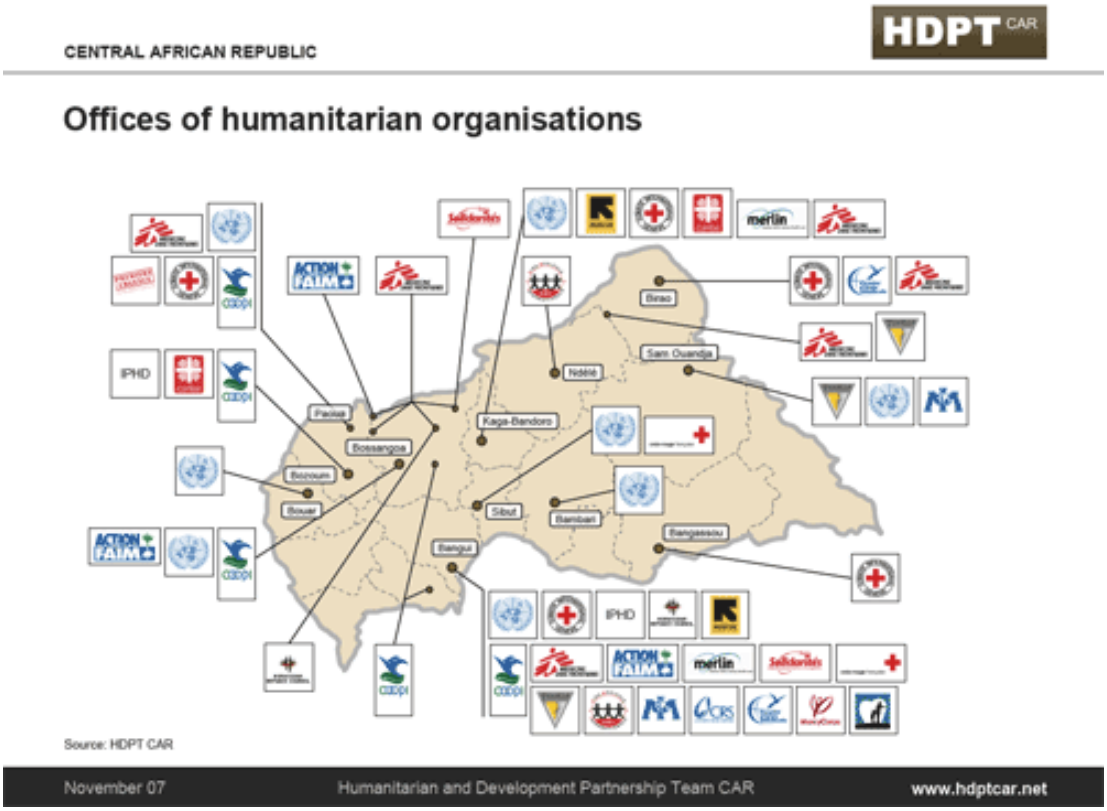
InterAction is the largest umbrella coalition of U.S.-based non-governmental organizations working internationally: 193 member organizations with programs in most developing countries. InterAction's mission is to provide leadership in conflict prevention and resolution, post-conflict reconstruction and natural disasters. In 2002, InterAction produced an influential video featuring Ambassador Richard Holbrooke and General George Sullivan, which presented for military audiences the necessity of maintaining the independence and impartiality of humanitarian organizations even when their home country's soldiers are engaged in international conflicts in the same area.

At the same time, InterAction was working with its member agencies to strengthen their relationships with USAID, the World Bank and relevant UN bodies. In 1987, InterAction founded the Forum of African Voluntary Development Organizations (FAVDO), the first continent-wide network if indigenous NGOs. Two years later, InterAction and FAVDO collaborated on the Africa Partnership Project to solidify relationships between African and U.S. NGOs. InterAction's priorities for 2010 include: increasing engagement with the U.S. Government on reducing poverty and providing humanitarian relief; advocating for a cabinet level department to address development and humanitarian issues; and orchestrating the capacity of NGOs to realize the UN's Millennium Development Goals.[154]

Within sub-Saharan African countries, the range of NGOs working on HIV and AIDS issues can be impressive and chaotic, as demonstrated by this graphic from the Central African Republic: [155]

[154] Interaction.org

[155] Central African Republic Humanitarian and Development Partnership Team. November 2007. www.hdptcar.net.



In "Lessons From the Front: NGOs and the Fight Against HIV/AIDS in South Africa," five NGO workers chronicle their efforts:[156]

> "….In 1994 there were an estimated 55,000 registered NGOs in South Africa. Foreign donors were needed to provide support for education, health and other social services not provided by the apartheid government. NGOs specifically concerned with HIV/AIDS began to emerge in the late 1980s, and by 1997 more than 600 organizations were directly involved in HIV/AIDS. They developed educational programs, provided care and counseling services, and created lobby groups calling for changes in legislation and arguing for the rights of people living with AIDS.
>
> NGOs generally support a community-based approach to the epidemic that acknowledges the social determinants and broader implications of HIV in prevention, care and support interventions…. NGOs generally work with disadvantaged communities that are particularly vulnerable and susceptible to HIV, and are able to bring a sense of community ownership to a program. They do this by employing community-based educators and carers and by establishing local reference groups or committees…

The NGO sector has achieved impressive results in many areas. By providing education and prevention programs, community care and support, and advocacy and lobbying, they have helped

[156] Williams, B. et al. 2008. Lessons from the Front: NGOs and the Fight against AIDS in South Africa.

inject a vision of non-discrimination, human rights and community participation into the national planning process…. This work has been complemented by many community-based organizations (CBOs) including workplace groups and churches.

HIV/AIDS in South Africa remains stigmatized, and many of the associated risk factors and problems including curable sexually-transmitted infections, migration, poverty, and gender violence are not adequately addressed. In spite of the evidence, many senior political, business and other leaders either refuse to acknowledge the impact that HIV/AIDS will have on society, or if they do, believe that their particular sector will weather the storm.

Many NGOs have achieved striking results with limited resources, but an epidemic of this scale cannot be effectively managed by NGOs. Rather, their role should be to provide links among communities, scientists, funding agencies and government. NGOs can explore and develop new ideas and new ways of dealing with the epidemic, and they will inevitably form a key component of a successful national strategy. However, without the support of others the good work that NGOs are doing will not be sufficient to turn the tide of the epidemic."

Even the best NGO interventions have had to face up to the fundamental fact that changing human behavior is extraordinarily difficult, to change it on a large scale within one generation nearly impossible.

NGO, Government and Military Collaboration

Since the early 1990s, military forces have become increasingly involved in humanitarian assistance. This assistance has taken many forms, from protection of humanitarian convoys to direct distribution of food.

The U.S. Department of Defense (DOD) assists the HIV prevention efforts of African armed forces in 39 countries, using funding from three sources: the DOD HIV/AIDS Prevention Program Office; the President's Emergency Plan for AIDS Relief (PEPFAR); and the Department of State HIV/AIDS Military Health Affairs Program.

These prevention and education programs have reached:

- 497,000 African troops and their families;
- 800 senior military leaders regarding HIV policy;
- 102,000 African service members for testing and counseling;
- 7000 peer educators and 5000 health care workers;
- 19,000 individuals receiving ARV treatment.[157]

According to PEPFAR statistics for 2009, DOD funding provided $350,000 to Liberia for HIV and AIDS prevention, treatment and care in the armed forces, including sensitization, education and training, building laboratory capacity and composing policy. Senegal received $300,000 for counseling of military personnel deployed on peacekeeping assignments to countries with higher

[157] PEPFAR. Pepfar.gov.

HIV prevalence than exists in the Senegalese armed forces. Similar amounts have been spent in other sub-Saharan African countries. Of the 15 PEPFAR focus countries, 12 are in Africa:[158] The military has a fundamental mission to enhance security and establish a stable environment. Humanitarian agencies operate under a mandate to implement aid programs. Some NGO participants consider the merger of humanitarian, political and military roles pragmatic and laudable; others believe that there is a danger that humanitarian objectives and principles will be compromised.

The 2001 "Oslo Guidelines on the Use of Military and Civil Defense Assets to Support UN Humanitarian Activities in Complex Emergencies," states that military operations should not be used in the direct delivery of assistance, and suggests four core principles:

1. Complementarity: military assets are a last resort in responding to humanitarian emergencies; UN agencies should refrain from seeking such assistance unless they are urgently needed and similar civilian capacities are unavailable.
2. Civilian control: military units assisting UN humanitarian activities should be under the supervision and control of civil authority.
3. No cost: military assets, as with other humanitarian assistance, should be provided at no cost to the affected population or nation.
4. Military assets should be used within a limited time-frame.[159]

The capacity of humanitarian actors to provide relief depends upon their access to all people in need. This in turn depends on trust and impartiality. Associations between humanitarian agencies and military forces risks compromising if not actual impartiality, then the appearance of impartiality. Military involvement in relief raises the possibility that political and military objectives will influence how needs are assessed.

Unfortunately, it has become increasingly commonplace for insurgents and armed opposition groups to target any relief effort that appears to represent U.S. presence and influence. Whether attacks on the International Committee of the Red Cross in Iraq and Georgia, killings of eye doctors in Afghanistan, or threats to relief operations in Pakistan, it has become clear that respect for the neutrality of non-governmental aid organizations has eroded. The more NGOs are perceived to be carrying out the foreign policy or military agenda of the U.S. Government, the more they are likely to become targets of hostile action.

It is also unfortunate that U.S. military involvement in relief efforts can have a polarizing effect on a host country, especially a society in conflict. To the degree that PEPFAR is seen as a project that is dependent upon, and implemented by, the Department of Defense, its partners, whether they are international or indigenous, may become targets.

NGOs take a variety of stands on cooperating with governments and militaries. Some, such as Medecins Sans Frontieres and the International Red Cross try to pursue apolitical agendas and have little interaction with governments other than the host country. Others, such as CARE, World Vision, Mercy Corps and Save the Children coordinate security and logistics with governments as

[158] Botswana, Cote d'Ivoire, Ethiopia, Kenya, Mozambique, Namibia, Nigeria, Rwanda, South Africa, Tanzania, Uganda, Zambia.

[159] UN. 2001. *Oslo Guidelines on the Use of Military and Civil Defense Assets to support UN Humanitarian Activities in Complex Emergencies.*

needed, but are careful to maintain working independence. Another group, including International Medical Corps and most faith-based NGOs, has few reservations about cooperating fully with governments and militaries.

Overall, interdependence between NGOs and governments is on the rise. Whether or not it is acknowledged at NGO headquarters or host-government capitals, NGOs, governments, intergovernmental organizations and militaries engage in partnerships on the ground whenever it is likely to benefit local populations. In addition, substantial numbers of retired military officers, former ambassadors and government officials serve on the staffs and boards of directors in the NGO sector.

Enhancing military coordination with relief organizations often comes down to: improving military familiarity with key relief organizations; bringing relief NGOs into the country planning process; and sharing strategic information with relief organizations[160]

What militaries, especially U.S. forces, do best is building or strengthening infrastructure; logistics; training; and providing equipment. It is precisely these assets that NGOs need most as they try to deliver care and treatment to affected populations.

This would seem to be the time to emphasize military-to-military cooperation in the fight against HIV and AIDS. Such an effort would include:

- cultivating a mission sensibility for addressing HIV
- basic-training modules on sexually transmitted diseases; diagnosis and treatment of all sexually transmitted diseases
- promoting military teaching capabilities on infectious diseases
- assisting with the construction of laboratories and other technical and testing capacities
- creating the will and the capability to provide voluntary, confidential and non-record testing and counseling to members of the military and their dependents
- making condoms available to all soldiers and civilians at all military facilities
- a ban on tattooing
- tuberculosis (tb) screening for all soldiers and prisoners; demobilizing soldiers with active tb; removing prisoners with active tb from the general prison population
- a cessation of transfusions without proper protocols
- education to prevent rape and sexual abuse
- strict enforcement of penalties for rape; further criminalizing rape without a condom as attempted homicide.[161]

The U.S. Department of Defense might proceed along these lines with the expectation that as such capacities take hold in African militaries they will eventually be brought to bear on civilian

[160] Bynum, D. 2000. *Strengthening the Partnership: Improving Military Coordination with Relief Agencies and Allies in Humanitarian Operations.* Washington, D.C.: Rand Corporation.

[161] Miles. 2003.

populations, either through direct military attention or through the spread of technical expertise to governments and NGOs.

Conclusion

The full range of government responsibility for addressing the human rights aspects of HIV and AIDS was set forth in 1997 by the United Nations Commission on Human Rights in a set of guidelines entitled, "*The protection of human rights in the context of human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS).*" The Commission insisted that all states should:

- ensure **widespread availability of qualitative prevention measures** and services, adequate HIV prevention and care information and safe and effective medication at an affordable price;
- implement **legal support services** that will educate people affected by HIV/AIDS about their rights [and] provide free legal services to enforce those rights;
- promote the wide and ongoing distribution of creative education, training and media programs explicitly designed to **change attitudes of discrimination and stigmatization;**
- enact or strengthen **anti-discrimination and other protective laws** that protect vulnerable groups, people living with HIV and AIDS and people with disabilities from discrimination in both the public and private sectors;
- promote a supportive and enabling environment for women, children and other **vulnerable groups**;
- reform **public health laws** to ensure that they adequately address public health issues raised by HIV and AIDS;
- reform **criminal laws and correctional systems** to ensure that they are consistent with international human rights obligations and are not misused in the context of HIV and AIDS or targeted against vulnerable groups;
- develop **codes of conduct** regarding HIV and AIDS issues that translate human rights principles into codes of professional responsibility and practice;
- ensure **monitoring and enforcement mechanisms** to guarantee the protection of HIV-related human rights, including those of people living with HIV and AIDS, their families and communities.[162]

NGOs, governments and militaries should collaborate on a program of action in Africa and elsewhere that includes:

- equal access to all effective forms of prevention, care and treatment of HIV and AIDS, including universal access to condoms;
- replacement of programs that promote abstinence-until-marriage to the exclusion of other effective HIV prevention strategies;
- eradication of sexual violence and other forms of exploitation of women; health care for survivors of sexual violence, including free and accessible post-exposure prophylaxis to survivors of rape within 72 hours of the assault; increased opportunities for the reporting

[162] UN Commission on Human Rights. 1997. *The Protection of Human Rights in the Context of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS).* New York: UN Publications.

and investigation of sexual violence and exploitation; prosecution of men who engage in sexual abuse, including spousal rape;

- elimination of discrimination against women and girls in law, education, health and other practices which leave them particularly vulnerable to HIV and AIDS; community-based reforms of practices that make women more vulnerable to HIV/AIDS, including wife inheritance, female genital mutilation, and marriage of girls; recruitment and training of more female military and police officers and more female members of the judiciary;
- explicit recognition in national and local HIV and AIDS policies and programs for the needs of vulnerable and marginalized populations including: street children and children orphaned by AIDS, populations in areas of conflict and internally displaced persons, lesbian, gay, bisexual and transgender people, sex workers, and injection-drug users;
- recognition of the link between the spread of HIV and discrimination based on sexual orientation, including the criminalization of same-sex relations;
- the long-term benefits of prioritizing immediate prevention and treatment efforts among military personnel.

Because of its programmatic inclinations and enormous resources, the United States Government will play a significant role in the future of the HIV and AIDS epidemic in sub-Saharan Africa. As the region is by any measure the most devastated by HIV and AIDS – for now and for the foreseeable future – it is entirely just and appropriate for the United States to concentrate its efforts in sub-Saharan Africa.

Widespread early death, the recognized likelihood of one's own early death, the anticipation of early death for one's children, taken together, changes everything. Apart from and above all the tactical, political, security and realpolitik reasons for the United States to act wisely and well, there is simple basic morality and duty. The pandemic of HIV and AIDS is of such epic proportions and constitutes such a vast and grave human tragedy that failure to confront it is ethically unacceptable. It is quite simply the signal moral challenge of our time.

That challenge is to act in precise and meaningful ways to protect and promote the rights of people in the path of the epidemic, especially those most susceptible to its ravages. It is our responsibility to use what we know to ensure that the rights of all – those infected, those affected and those vulnerable to infection – are upheld. If we do this we will help to alleviate some of the loss and cost, the discrimination and dislocation, the suffering and death that is the HIV and AIDS epidemic in Africa.

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SECTION SIX:
DISPLACEMENT IN AFRICA:
Manipulation and Militarization in the Context of Mass Displacement

Erin A Weir and Patrick Duplat, Refugees International

Political manipulation and the presence of armed elements in settlements housing refugees and internally displaced people (IDPs) gained new prominence in Africa in the mid 1990s particularly following the militarization of the refugee camps in Africa's Great Lakes region in the aftermath of the Rwandan genocide in 1994.

Refugees and IDP sites are meant to be civilian in character: safe spaces where displaced individuals and families can be provided with life-saving and life-sustaining assistance, safe from the conflict and generalized insecurity around them. Unfortunately, the protected nature of the sites, the political prominence of displaced communities and the inflow of international humanitarian resources make these sites attractive to armed actors.

For the humanitarian community, the militarization of refugee and IDP sites has raised serious questions about the unintended consequences of humanitarian assistance. As a result a series of operational standards and guidelines has been developed to help humanitarian actors navigate difficult political realities, mitigate the threat of militarization, without compromising the responsibility of the international community to protect refugees and IDPs.

Real challenges remain and militarization of refugee and IDP sites continues to be a threat to both the civilian residents of the sites and to international peace and security. Moreover, the increasing tendency to view humanitarian crises through the prism of the "war on terror" and the use of aid by political actors for strategic political gain has tainted the reputation of "neutral," "impartial" humanitarian actors, including aid groups and United Nations agencies.

There are constructive ways to prevent and manage the threat of militarization without compromising the humanitarian imperative. In Africa, a particularly important preventative measure is a sustained investment in the development of professional, capable security institutions within countries at risk. Once large-scale displacement has occurred, the application of good humanitarian practices and standards is critical, in that it can help to locate sites in more secure areas, and allows camp management professionals to better track who has access to the sites, and what activities are occurring there. The strict application of these principles sometimes requires complimentary political intervention in order to be possible. Security inputs, such as strong community policing components deployed within displacement sites help maintain security, prevent manipulation and coercion, and maintain a heightened level of awareness of activities inside the sites.

In the area surrounding the sites, military actors (whether local or international) can work to create area-wide security and limit – or at least create impediments to – the movement of armed actors and the trafficking of weapons or looted aid. Finally, strong communication and – where possible – coordination between security actors inside and outside displacement sites, as well as humanitarian and political actors in the area is critical to maintaining the civilian nature of displacement sites.

This coordination can be difficult, and the most difficult relationships to navigate are often between humanitarian actors and the political and military actors. This is because of their sometimes divergent objectives and the necessity to be perceived as separate. Humanitarian principles demand that humanitarian aid be delivered strictly according to need, without reference to political ends, and requires humanitarian agencies to operate independently from political and military actors.

The militarization of refugee and IDP sites is caused by a complicated interplay of political, security, and humanitarian factors, and has implications for the delivery of humanitarian aid, the day-to-day security of displaced civilians and for the perpetuation (or resolution) of the wider conflict that caused the displacement in the first place. Just as the causes and consequences are interconnected and inseparable, so must be the political, humanitarian and security dimensions of the response.

The United States Government (USG) has at its disposal tremendous political, military, developmental and humanitarian resources, but each of these often acts without reference to other U.S. activities in the area. There needs to be a concerted effort to ensure that all actors are working towards a common goal (if not objectives), and for all elements of the USG with a presence in the field to better understand and work with non-USG partners.

The USG also has the unique skills and means to invest in the prevention of displacement and the factors that lead to the militarization of refugee and IDP sites in Africa. Investment in security sector reform can go a long way towards preventing displacement, and controlling the movements of armed actors that would capitalize on displacement sites as a source of sustainment and refuge.

I - Changing Dynamics of Displacement and the International Response

According to the 1951 UN Convention Relating to the Status of Refugees, a refugee is a person who … owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his [or her]nationality and is unable, or owing to such fear, is unwilling to avail him [or her]self of the protection of that country; or who, not having a nationality and being outside the country of his[or her] former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. The 1951 Convention, its subsequent Protocol,[163] and regional conventions[164] relating to the status and treatment of refugees form the basis of international refugee law and guide the work of the UN High Commissioner for Refugees (UNHCR).

In contrast, Internally Displaced People (IDPs) have been forcibly displaced from their homes and communities, but have not crossed an international border. As such, IDPs are not protected under international refugee law. Rather, IDPs derive their protections from the Guiding Principles on Internal Displacement,[165] a document based on international human rights standards and humanitarian law, but not a formal legal instrument. Officially, IDPs continue to be primarily the responsibility of their own government. Due to lack of capacity or, in many cases, lack of will on the part of the host government to protect its own civilians, the international humanitarian community,

[163] "Convention Relating to the Status of Refugees," UN General Assembly, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, accessed 27 September, 2010, http://www.unhcr.org/refworld/docid/3be01b964.html.

[164] "Audiovisual Library of International Law," accessed 27 September 2010, http://untreaty.un.org/cod/avl/ha/prsr/prsr.html.

[165] "Guiding Principles on Internal Displacement," accessed 27 September, 2010, http://www.idpguidingprinciples.org/.

including UNHCR[166], routinely becomes involved in the provision of support for IDP communities.[167]

There are approximately 2 million refugees and nearly 11.6 million IDPs[168] residing in Africa, the majority of which are in camps or large IDP "sites."[169] These sites are typically the focal point of international political and humanitarian support, and while "the concept of a refugee and the mandate of UNHCR are embedded in a discourse that is humanitarian, apolitical and civilian,"[170] these sites and the protection and resources they offer, have often been attractive targets for armed actors.

i) Causes of Militarization

The militarization of refugee camps is not a new reality. As Fiona Terry, from the French humanitarian group Médecins Sans Frontières, points out, the manipulation and politicization that is associated with the militarization of refugee camps has been documented for decades. However it is the nature of this manipulation, and the motives of the perpetrators, that continue to change and evolve.

The aftermath of the Rwandan genocide is often held up as the prototypical case of camp militarization. In this circumstance the fleeing *génocidaires* drove whole Rwandan communities over the borders into Tanzania and Zaire (now called the Democratic Republic of Congo, DRC) and, through the manipulation of refugee populations, used the camps as rear-bases where they were able to rest, train, and launch attacks into Rwandan territory. The legacy of this militarization is still being felt in the Kivu region of DRC where the remnants of those militias continue to pose a major threat to peace, security and civilian safety.

This example is consistent with the "Refugee Warrior" concept that was introduced in the 1980s to describe "highly conscious refugee communities with a political leadership structure and armed sections engaged in warfare for a political objective, be it to recapture the homeland, change the regime, or secure a separate state."[171] Currently, certain internally displaced communities in Darfur, Chad and DRC can be said to reflect similar types of politicization and mobilization. Yet, today, as

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[166] Although UNHCR does not have an official mandate to care for IDPs, they remain "persons of concern".

[167] A few points to keep in mind: (1) Not all displaced people - refugees or IDPs - end up in "camps". In fact, many are displaced to host families – family members, friends, or kin in the wider sense- who agree to take them in. (2) While many IDPs do live in large IDPs sites or managed camp settings, they are more likely to live in decentralized or informal sites, and even where there IS centralization, they tend to receive less assistance than refugees do. (3) While most refugee and IDP sites experience some level of crime and insecurity, not all are "militarized' in the sense of supporting armed actors of their activities.

[168] "Internal Displacement in Africa," Internal Displacement Monitoring Centre, accessed 27 September, 2010, http://www.internal-displacement.org/8025708F004CE90B/%28httpRegionPages%29/B3BA6119B705C145802570A600546F85?OpenDocument.

[169] More than 6 out of every 10 refugee in Africa is in a camp, as opposed to less than half for the rest of the world (www.unhcr.org/statistics/populationdatabase).

[170] Fiona Terry, *Condemned to Repeat? The Paradox of Humanitarian Action* (New York: Cornell University Press, 2002), 29.

[171] Aristide R Zolberg, Astri Suhrke and Sergio Aguayo, *Escape from Violence: Conflict and the Refugee Crisis in Africa* (London: Oxford University Press, 1989), 275.

Lischer points out correctly, many militarized camps and IDP sites don't fit the "refugee warrior" mould.[172]

Following a similar line of argument, Muggah and Mogire also draw a distinction between *refugee* militarization – which denotes support on the part of the refugees and/or IDPs themselves for armed actors and their aims – and refugee *camp* militarization – in which case the physical territory and material resources of the camp are manipulated to serve the ends of armed actors.[173] These are closely related and frequently corresponding phenomena but not synonymous concepts. As such, these may need to be analyzed as two distinct challenges in order to identify the most appropriate steps to prevent and address the problem.

In addressing questions of more general camp insecurity UNHCR's Executive Committee of the High Commissioner's Program comment indirectly on the challenges associated with militarization in the following way:

> These situations result in endangering the physical safety of refugees, whose lives and belongings are threatened, who could be the victims of external attacks against the camps and settlements they live in and who could fear either being prevented from repatriating voluntarily or, on the contrary, being forced into a hasty return to uncertain conditions. Women and children are often the targeted victims of banditry, while many men fear being forced to join fighting. Similarly, insecurity might affect the surrounding local population and exacerbate tensions between the refugees and the nationals of the host country. Finally, some situations are perceived as threats to the security of the country of origin or the whole region.[174]

This description addresses general camp insecurity and focuses in particular on the threat posed to the refugees and IDPs themselves. However, many of the concerns listed here relate closely to the national or regional security threats described in analyses of camp militarization more specifically.

The common concerns present in discussions about camp insecurity and "militarization" are:

- The failure on the part of the host government and the international community to maintain the "civilian nature" of the refugee camp or IDP site.
- The capitalization by armed actors on the "protected status" of refugee camps and IDP sites for physical safety and material gains (goods, taxation, etc.) at the expense of the displaced civilians.
- The threat of recruitment of vulnerable displaced populations as fighters, laborers, etc.

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[172] Sarah Kenyon Lischer, "Forced Displacement and Security Challenges in Africa," in *African Security Challenges: Now and Over the Horizon – Working Group Discussion Report,* Jennifer Perry and Jennifer Borchard, eds. (Washington DC: U.S. Government, Defense Threat Reduction Agency) A-1.

[173] Robert Muggah and Edward Mogire, "Arms Availability and Refugee Militarization in Africa – Conceptualizing the Issue," in *No Refuge: The Crisis of Refugee Militarization in Africa* (London: Zed Books Ltd, 2006), 8.

[174] "The Security and Civilian and Humanitarian Character of Refugee Camps and Settlements," Executive Committee of the High Commissioner's Programme – UNHCR, accessed 27 September 2010, http://www.unhcr.org/refworld/pdfid/4a54bc04d.pdf.

- The threat of the political manipulation of the refugee population by armed actors who seek to control the attitudes and fears of displaced people to achieve their own political and military ends.
- Encompassing everything from political support to material gains, unsecured refugee and IDP sites present armed actors with a full spectrum of resources to sustain their activities.

Camps as a Source of Revenue:
The most obvious benefit to the militarization of displacement sites is diversion of aid resources such as food and medicine, and the taxation of the population through violent coercion, or the establishment of parallel governance structures.

Shield/Shelter:[175]
The international legal protections afforded to displacement sites as well as the high visibility associated with such large concentrations of "innocent civilians" has made them attractive "rear bases," sites where armed actors can melt into the civilian population and live and operate in relative security, safe behind their human shields.

Large displacement sites frequently house tens or even hundreds of thousands of refugees or IDPs – like the Afgooye settlement outside of Mogadishu in Somalia which had at one point half a million individuals. And while some efforts are usually made to police – or at least monitor – the outer edges of the sites, there is often very little in the way of law enforcement within the sites themselves.

These largely unmonitored spaces create opportunities for training, as well as planning and launching attacks. The camp populations are frequently targeted for recruitment – either forced or voluntary – into the ranks of the armed groups.

One current example of a refugee site being used as a rear base is the Oure Cassoni refugee camp in eastern Chad. This camp houses somewhere between 21,000 and 27,000 Sudanese refugees from the Darfur region of Sudan and sits just five kilometers from the border. The camp is frequently referred to as an "R&R" base for the Justice and Equality Movement (JEM) rebels who – in addition to housing their wives and children in the camp – retreat to the camp after launching attacks in Darfur. In this case, the JEM are largely accepted by refugee leaders and many camp residents as "freedom fighters" against the government in Khartoum. They recruit heavily from the camp with the full knowledge and support of refugee leaders, and enjoy complete freedom of access and movement within the site.[176]

Political Constituency:
In addition to the obvious material and "safe haven" benefits enjoyed in displacement sites, the political control- either through coercion, manipulation, or legitimate leadership of armed actors – over displaced populations can have real benefits for armed groups.

By asserting political control over displaced communities, armed actors can elevate themselves from simple rebel or militia groups to the legitimate political "voice" of the displaced. This gains them a

[175] Lischer, "Forced Displacement and Security Challenges in Africa," A-6.
[176] "The Security and Civilian and Humanitarian Character of Refugee Camps and Settlements"

seat at the table with organizations and agencies seeking to disburse humanitarian assistance, and with mediators and government actors seeking political resolution to the conflict at hand.

For example, in Darfur, "…armed factions have a better chance of gaining credibility if they can be seen to have power and control among Darfur's most visible constituency: the IDPs. The result, inevitably, is that rebel factions seek to use the most prominent of Darfur's camps as a platform for political power, and IDPs are receptive to this use."[177]

ii) Context and Motivation Matters

In spite of the obvious and troubling existence of militarized sites, it is important to recognize that most refugee and IDP sites are not, in fact, militarized, and that when they are, no two circumstances are exactly alike.

As Khan argues, "the different contexts of the camps create different motivations for militaristic groups, varying degrees of receptivity on the part of the civilian population, and diverse types of armed activity."[178] Therefore when seeking to understand and prevent or respond to the threat of camp militarization one must take into account a number of context related variables.

The Nature and Location of the Displacement Site:

Camps close to the border, for example, are useful as rear bases and trafficking hubs, whereas sites located further away from a border might be more easily used as a source of revenue or political legitimacy.[179]

In Darfur, for example, large, self contained camps in government controlled areas are not militarized, whereas camps in areas controlled by armed factions and camps located near the border area (both IDP sites in Darfur, and refugee sites in Chad) have been consistently militarized, with the border sites often being used as rear bases.

Attitude and Situation of the Displaced:

Muggah describes "Outward" versus "Inward" militarization. In the first case, refugees themselves are either voluntary or involuntary participants in the conflict, whereas "inward" militarization describes situations where refugees and IDPs are themselves targets of attack.[180] Also important is the reason for displacement. Specifically, have the refugees or IDPs been displaced under circumstances that are likely to cause them to see militants as freedom fighters, (as is the case with many Sudanese refugees)?

Other important factors, which significantly affect the attitudes of refugees and IDPs include the length of time they have been displaced, conditions in the camp, age, gender, economic status and political, ethnic and religious affinities. All of these factors will shape the worldview of individual refugees and IDPs, and determine how susceptible they might be to attempts to with their support.

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[177] Clea Khan, "Conflict, Arms, and Militarization: The Dynamics of Darfur's Camps," (Switzerland: Small Arms Survey, 2008), 24.

[178] Khan, "Conflict, Arms, and Militarization," 12.

[179] Khan, "Conflict, Arms, and Militarization," 19.

[180] Robert Muggah, "Protection Failures: Outward and Inward Militarization of Refugee Settlements and IDP Camps in Uganda," in *No Refuge: The Crisis of Refugee Militarization in Africa* (London: Zed Books Ltd, 2006), 91.

II - Impact on the Humanitarian Community

The militarization of refugee and IDP sites has had an impact on the way that humanitarian actors have operated within those spaces. This impact on humanitarian agencies (or non-governmental organizations, NGOs)[181] has come from the "bottom" and the "top" – that is to say, the militarization of refugee and IDP sites has altered the relationship between humanitarian actors and their intended beneficiaries on the one hand, and humanitarian actors and donors on the other.

i) First, Do No Harm

It is important to clarify what the stated operational principles of humanitarian NGOs are, since the rethinking of how those principles apply in empirical contexts provides clues as to how military actors should engage with aid agencies. Terry describes them as such:[182]

> "The "humanitarian imperative" declares that there is an obligation to provide humanitarian assistance wherever it is needed, and is predicated on the right to receive, and to offer, humanitarian aid. Impartiality implies that assistance is based solely on need, without any discrimination […]. The principle of neutrality denotes a duty to refrain from taking part in hostilities or from undertaking any action that furthers the interests of one party to the conflict or compromises those of other. Independence is an indispensable condition to ensure that humanitarian action is exclusively concerned with the welfare of humanity and free of all political, religious, or other extraneous influences."

Terry's book, first published in 2002, was somberly titled "Condemned to Repeat?" In it she warned humanitarian practitioners that a separate humanitarian space where humanitarian principles are respected doesn't exist. By providing examples of the various contexts in which NGOs sacrificed humanitarian principles in the name of expediency or ignorance, Terry exposes the inherent paradox in humanitarian action: to stay neutral and impartial when aid is often manipulated for political gains. Indeed, aid has been shown in some cases to exacerbate and prolong a conflict.

That is not to say that humanitarian principles should be ignored or discarded. They are rooted in the Geneva Conventions and are aimed at parties to the conflict to protect the integrity of humanitarian action. Moreover, they define how humanitarian actors conduct their operations – such as negotiating access in conflict zones. To say that the application of humanitarian principles has led to trade-offs and compromises is not to say that they shouldn't be strived for. If a "first best world" where those principles are respected is unattainable, at the very least there is "an ethical imperative for vigilance in humanitarian action.[183]"

ii) Impact from the "Bottom"

As noted, the most oft-cited example of the militarization of refugee camps is the crisis in the Zaire/DRC in the aftermath of the Rwandan genocide in 1994. This militarization was possible precisely because of the international protection afforded to refugees and the assistance in the form

[181] Many NGOs or civil society groups are humanitarian agencies, but for practical purpose the terms will be used interchangeably in this paper.

[182] Terry, *Condemned to Repeat*, 10.

[183] Terry, *Condemned to Repeat*, 245.

of food, water and relief items from aid agencies. The use of camp resources, the indoctrination of the camp population and the protection from outside forces afforded by the camps are well documented. The impact on eastern DRC's contemporary history continues to be felt, yet few aid agencies at the time saw their roles as anything beyond providers of care to a distressed population. The most notable exception is the French section of Médecins Sans Frontières which withdrew from the camps because they felt the political cost of providing medical care to the *génocidaires* was too great.

In the decade and a half since, the international humanitarian system has gradually transformed itself, in part to infuse some accountability and greater political awareness in humanitarian action. The post-Zaire humanitarian environment led to a re-assessment of the operational approach of NGOs. Humanitarian practitioners had to recognize the limitations of aid and account for its potential negative consequences.

Yet the lessons learned in Zaire do not necessarily apply universally. Displacement crises are highly contextualized, and humanitarian actors have had to respond to each one differently. In fact many of today's refugee and IDP spaces lack the degree of politicization and organized militarization of the Zaire camps. From the IDP camps in Darfur to the urban refugee settlements in Nairobi or Johannesburg, present-day displacement spaces offer reduced opportunities for militarization. Many reasons can be identified for this shift: most notably efforts by host governments and international agencies to introduce disarmament efforts, as well as arm sanctions, border controls and police monitoring.[184] To these we could add increased urbanization – which promotes integration of displaced populations – and a more robust humanitarian system which decreases the vulnerability of certain populations.

This is not to say that militarization does not remain a challenge for aid groups. In fact, the manipulation of aid, and the targeting of displaced population for strategic gains by belligerents is a very contemporary problem. To give but one example, the recruitment of fighters by the Kenyan government in the Dadaab refugee camps in northern Kenya has been ongoing despite the presence of hundreds aid workers on a daily basis.[185]

iii) Impact from the "Top"

It is natural for international donors – and in particular the United States – to be concerned with the militarization of refugee spaces. They do not want aid money to be misused, diverted, or be counter-productive to parallel political and diplomatic processes.

Certain donors, in particular the Scandinavian countries and Canada, have funded research on how to strengthen the humanitarian system and increase the protection of displaced populations. However a far more significant donor trend has changed the behavior of humanitarian actors over the past decade: the politicization of aid following the 9/11 attacks. Indeed, the west's response to the Al Qaeda network's terrorist attacks has fundamentally altered the relationship between donors and NGOs. Many humanitarian groups, particularly those dependent on U.S. funding, are being

[184] Sue J. Nahm, "From Bad to Better: Reflections on Refugee and IDP Militarization in Africa," in *No Refuge: The Crisis of Refugee Militarization in Africa* (London: Zed Books Ltd, 2006), 220.

[185] "Kenya: Stop Recruitment of Somalis in Refugee Camps" Human Rights Watch, accessed on 27 September 2010, http://www.hrw.org/en/news/2009/10/22/kenya-stop-recruitment-somalis-refugee-camps.

asked to go beyond their humanitarian mandates and influence a political outcome that is in line with donors' objectives.

The United States Agency for International Development (USAID) has been under increasing pressure to fund projects that deliver political gains. In the humanitarian arena – funded mostly by USAID's Office for Foreign Disaster Authority (OFDA) and Food For Peace (FFP) – the NGOs have been provided funding with guidance that at times contravened humanitarian principles.[186] An illustration would be distributing food (a humanitarian action) in an area ahead of local elections to raise the support of the incumbent candidate (a political objective).

While this politicization of aid is most blatant in Iraq and Afghanistan, it has trickled down to the African context, particularly where the United States has pressing security concerns. In Somalia and Liberia for example, aid was distributed to strengthen the "good guys" and weaken the forces that the international community sought to marginalize.

This trend goes beyond the funding of projects that may benefit a particular group over another, but reflects an increasing tendency to view humanitarian crises through the prism of the "war on terror."[187]

The impact on NGOs, and in particular international humanitarian organizations, has been significant. It has changed the perception of aid groups from belonging into a global civil society dissociated from governments, to one of implementing partners of Western countries imposing an external agenda. This perception shift must evidently be nuanced because, first, as explained above, humanitarian agencies were never entirely neutral nor impartial to begin with; and second, as much as donors have politicized aid, many NGOs were willing partners and evidently pleased to accept the funding. Nevertheless, the extent to which humanitarian action has been impacted by the post 9/11 environment should not be discounted.

This is not a theoretical point of divide between aid practitioners and the diplomatic and defense communities. The United States erodes its soft power if American aid groups are perceived as implementing U.S. policy.

The diversion of aid for political gains not only contravenes the humanitarian principle of providing assistance on the basis of need, but devalues the effectiveness of humanitarian action itself. It heightens the security risks of humanitarian agencies, leaving displaced populations more exposed, and potentially strengthens the recruitment capacity of militants by worsening conditions within displacement sites.

[186] Many of these grants also contravened the Good Humanitarian Donorship initiative which the United States participates in (see http://www.goodhumanitariandonorship.org). This initiative was devised in the mid 1990s to hold donors accountable for their humanitarian aid, in part as a reaction to Cold War excesses, and to promote adherence to humanitarian principles. It is useful for any U.S. agency involved in humanitarian work to familiarize itself with the GHD initiative.

[187] While the current U.S. administration has discontinued the use of the "war on terror" label, security concerns have continued to influence humanitarian considerations.

III - Principles to Address Militarization

Having outlined the impact of militarization of refugee and IDP spaces on NGOs – both from their beneficiaries and their donors, this section will address the principles that should shape the response.

First, there is a responsibility for governmental actors to intervene. When aid is manipulated for political gains, it is often tempting for observers to call for a stop to the flow of aid entirely, hoping that a withdrawal of assistance would defuse the political tension and decrease the militarization of the populations concerned. The example of Somalia comes to mind, where aid has been blamed for shifting power centers over the course of the past two decades, ever since the collapse of the country's last stable government. Even today, an international "withdrawal" is sometimes discussed as a possible alternative.

This course of action is neither achievable nor desirable. While aid can play a part in fueling a conflict, it remains a catalyst and not a *casus belli*. Moreover, the diffuse nature of the humanitarian community (and its funding sources) makes it unlikely that a pull-out of a particular situation would be universally followed. Lastly, and more importantly, humanitarian assistance is not just a moral imperative. The Geneva Conventions, its additional protocols and the Refugee Convention all give civilians affected by conflict international legal protection, and constitute a commitment on the part of host governments and the wider international community to deliver that protection.

Second, aid should be disbursed according to need. The opposite effect – to intently manipulate aid to achieve political gains – is a short-term solution with potentially negative consequences. As noted previously, western governments increasingly want aid to be in line with their political strategy. Addressing the militarization of refugee and IDP spaces by legitimizing the "good" faction at the expense of the "bad" faction is risky and often counterproductive. The strategy is predicated on the proposition that the best protection for civilian victims is stabilization (and therefore requires a political solution). However aid is a blunt political instrument and rewarding certain groups based on political affiliation gambles with lives in the short term with uncertain rewards in the long term.

The Somalia example is probably the African archetype of such manipulation. The more than $6 billion in aid disbursed in just under twenty years has saved countless lives, but it also radically altered the political landscape. By deciding to work in certain areas over others, or simply using certain businesses to facilitate the aid delivery, donors and NGO implementers have knowingly changed the balance of power. Today, many of the politicians that claim represent their clanic factions at reconciliation meetings have derived their power from this aid manipulation. The civilian population is none the better for it.

IV – Prevention and Management of Militarization Threat

i) Host State Capacity

In all cases, the protection of civilians within a state's sovereign territory is, first and foremost, the responsibility of that state. In Africa, some of the major causes or displacement, and the source of insecurity in and around the displacement sites can be traced back to a lack of capacity to maintain law and order, or to enforce the territorial integrity of the state.

This has been evident in a number of countries with large scale refugee and IDP crises. In the eastern region of Chad – host to some 300,000 Sudanese refugees- cross border attacks beginning in 2005 caused the displacement of roughly 170,000 Chadian civilians.

In the DRC a major security gap is being left behind as government military forces move through the eastern region of the country in operations against militant forces, and the weak (sometimes non-existent) police force is unable to fill the protection vacuum. Under these circumstances, civilians have been allowed to become the victims of militant reprisal attacks and (eventually) displacement or secondary displacement.[188]

International multilateral and bilateral support – in the form of training, equipment and technical expertise – to the governing bodies and security institutions of vulnerable states can have a strong preventative impact, both on the causes of displacement, and on the ability of armed actors to manipulate displacement sites to serve their own ends.

In particular:

- Effective customs and border controls: The ability to control the movement of goods and people in and out of a country in conflict can prevent – or at least limit – the movement of armed actors that might then seek out displacement sites as safe havens. It also limits the smuggling or arms and commodities that have fueled major conflicts in countries like Liberia, Sierra Leone, and the DRC.
- A professional, well equipped police force: Armed actors thrive in chaotic conditions where their actions will go un-observed and un-challenged. The training of a professional police force, capable of conducting thorough, professional investigations, tracking the commission of abuses, supporting judicial proceedings and otherwise enforcing law and order, can act as a deterrent to criminal activity, including the looting and taxation of displaced people, and the violent manipulation of refugee and IDP attitudes and actions.

ii) International Intervention/Stabilization

Humanitarian Response:
The application of the humanitarian "best practices" laid out in the Sphere handbook[189] are an important first step towards managing the threat of militarization of displacement sites. For example, locating the camps fifty kilometers or more from borders can help maintain the civilian character of sites by making them less attractive to armed actors, and more cumbersome to access and manipulate. The application of those principles, however, requires the engagement and support of both local and international political and security actors.

A good example of political will trumping good humanitarian service standards could be seen in the case of Oure Cassoni camp in eastern Chad. For years UNHCR requested that the camp be moved from its location near the border, to a site less accessible to cross-border rebel movements further inside the country. While the government of Chad has ostensibly agreed, the long-time response was to block re-location in order to ensure that the JEM rebels – who had the support of N'Djamena – could continue to access and benefit from the resources, recruitment and security of the site.

[188] "DRC: Number of IDPs in Uvira jumps by 600%," IRIN Africa, accessed on 27 September 2010, http://www.irinnews.org/report.aspx?ReportID=85518.
[189] See part V

Securing the Sites:
In addition to ensuring that humanitarian protection and service standards are met – or, in the case of military actors, supporting adherence to those standards – it is also critical that basic security is established in and around the displacement sites.

Within the sites themselves, the deployment of capable police officers is critical to ensuring that basic law-and-order is maintained, and that day-to-day traffic though the sites is monitored and controlled. In many conflict affected areas, local police forces are neither capable, nor empowered to perform this responsibility. In this case it may be necessary for international actors to intervene – either bilaterally or multilaterally – to strengthen and support local police forces.

One innovative, example of this is the *Détachement Integré de Securité* (DIS) in Chad.[190] Acknowledging the need to enhance security in the twelve Sudanese refugee camps in the east of the country, and yet realizing that local police were not up to the challenge, the UN Peacekeeping mission in the country (MINURCAT), trained, mentored and equipped a number of Chadian police and *gendarmes* to provide a community policing presence within each of the sites.

In order to prevent armed actors from accessing the sites, and to stop the flow or arms and the trafficking of other goods in and out of displacement sites, either local or international security forces – including local police, military, or where local security forces are unable or unwilling, international peacekeeping or stabilization forces – need to establish area wide security. This can include deterrent action such as patrols and general presence, or more aggressive military or policing action, to limit the movement and access of armed and criminal elements in the areas surrounding displacement sites.

This can also include direct military protection of the camps. Though the threat of militarization and the threat of an attack on the camp often exist simultaneously (and are mutually reinforcing) it should be noted that the posture of security forces deployed with the objective of preserving the civilian character of a displacement site is very different to those deployed to prevent or repel an attack. In the first case military activity might involve checkpoints, aggressive patrolling and the monitoring of movement of goods and people in and out of the site. The second is a more proactive posture, and might include advanced deployments to prevent armed actors approaching the camp, and the deployment of robust military assets around the camp sites to actively repel attack.

In order to comprehensively address the threat of militarization of displacement sites, and the concomitant threats that this can pose to regional and international peace and security, international donors including the United States government should actively seek to develop both international capabilities to both prevent and effectively respond to the threat. This includes ongoing investment in the development of professional security forces – both civilian and military – with the ability to maintain law and order, preserve territorial integrity, and prevent the illegal flow of goods, weapons and personnel across international borders.

The United States should also invest both political and financial capital in the development – institutional development, training, equipping, etc. – of international peacekeeping capabilities that

[190] Erin A Weir, *Greater Expectations: UN Peacekeeping & Civilian Protection*, (Washington, DC: Refugees International, 2009). 18.

can be deployed quickly to stabilize countries in crisis and to protect civilians and prevent the manipulation and militarization of large-scale refugee and IDP flows.

V – Humanitarian Partnerships to Address Challenge of Militarization

The challenge of militarization of refugee and IDP spaces has also been taken up by the humanitarian community – which by the late 1990s had come to a collective understanding of its own limitations and the need for new practices. Since then, there has been a collective effort to better coordinate and integrate the efforts of various actors. The humanitarian landscape is vastly different from a decade ago. This change is partly due to external technological developments such as the proliferation of news channels and the Internet (which has shrunk time and space between beneficiaries, aid workers and donors). More significantly has been the revolution in standards and guidelines.

Launched in 1997, the Sphere project is an "initiative to define and uphold the standards by which the global community responds to the plight of people affected by disasters."[191] The Sphere handbook, developed in collaboration with a wide variety of humanitarian practitioners, has more than 300 pages of comprehensive guidelines that detail minimum standards for humanitarian assistance. The handbook was not only meant to standardize practices (e.g. how deep a latrine pit should be) but also to provide indicators for improved quality and accountability (e.g. number of latrines per population).

In addition to Sphere, the UN's Office for Coordination of Humanitarian Affairs (OCHA) launched in 2005 the cluster approach, with the aim to improve the effectiveness of humanitarian assistance. By dividing humanitarian tasks into clusters (such as protection, food, water and sanitation) and nominating cluster leads, the coordinating body wanted to assist in the identification of gaps, the elimination of redundancies and the facilitation of cooperation.

At a structural level, donors pushed for an integrated model in order for humanitarian, development and political actors to avoid working at cross-purposes. The "integrated mission" is the UN's response to complex emergencies that demand a broad range of UN agencies to assist a country in post-conflict situations. The structure has a senior UN official[192] at its head and should, in theory, ensure a more coherent agenda for the international community and civil society groups. The integrated mission houses political, development, human rights and humanitarian actors, all of whom have traditionally worked within their own confines. While the benefits of such integration are obvious – most notably in avoiding duplication and setting common objectives – the concept was met with stiff resistance by humanitarians. Aid workers saw an inherent tension between the "partiality involved in supporting a political transition process and the impartiality needed to protect humanitarian space."[193]

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[191] "The Sphere Project: Humanitarian Charter and Minimum Standards in Disaster Response," accessed 27 September, 2010, http://www.sphereproject.org/content/view/91/58/lang,english/.

[192] The structure is under the authority of the UN Department for Peacekeeping Operations (e.g. in the Democratic Republic of the Congo) or the UN Department for Political Affairs (e.g. in the Central African Republic). However the head of the integrated mission, the Special Representative of the Secretary General (SRSG), reports directly to the Secretary General.

[193] Espen Barth Eide et. al., "Report on Integrated Missions: Practical Perspectives and Recommendations," UN ECHA Core Group (New York: United Nations, 2005).

The effectiveness of these tools has been hotly disputed, as many humanitarian practitioners complained of the increased bureaucracy. Moreover, in many contexts the standards are never reached because of a lack of financial or human resource capacity. In Dadaab, the worlds' largest refugee camp in northern Kenya, more than 300,000 refugees are confined in a space originally built for 90,000. Almost all indicators, from water distribution to number of latrines, are below Sphere standards. Yet the situation has remained thus for the past few years, and is known by all donors present in Kenya.

Lastly, it is important to note that not all humanitarian actors are active participants of this new humanitarian system. Most notably, the International Committee of the Red Cross (ICRC), an international organization guarding the Geneva Conventions, and Médecins Sans Frontières, a large medical NGO, have both deliberately kept out of the system so as not to undermine their projection of neutrality and impartiality. Both ICRC and MSF see this independence as guarantor of their staff's safety in the field.

VI – Principles to Achieve Coordination

Respect for Humanitarian Space

If coordination efforts are to work it is critical, first and foremost, that humanitarian action is, and is seen to be separate from political or military agendas. Public statements intimating that humanitarians are "partners" of political or military actors or that their humanitarian programs are "force multipliers" in the service of political agendas can seriously compromise both the programs and the safety of humanitarian actors.

Humanitarian actors work in accordance with the principles of independence and impartiality. They deliver aid in accordance with need, rather than on the basis of political expediency.

> If we assume that war and violence are extensions of the political, then we understand the traditional description of humanitarian space as an area separate from the political, and that this separation is a critical ideological concept that is fundamental to organizations like the International Committee of the Red Cross (ICRC). Impartiality, neutrality and independence are predicated on separating the humanitarian from the political. One acts within the humanitarian space in the midst of, but separate from, the political.[194]

In order to maintain access to populations in need on all sides of the conflict, humanitarians must be perceived to be neutral with regards to the politics of the conflict, and must be trusted by all parties to the conflict to deliver aid impartially, without reference to ethnic, religious, political or national distinctions.

In order to maintain this separation the U.S. Department of Defense, in conjunction with the US Institute of Peace (USIP) and InterAction – a membership based advocacy organization representing the perspectives of some 150 U.S. based humanitarian organizations – have developed the Guidelines for Relations Between US Armed Forces and Non Governmental Humanitarian

[194] Daniel Warner, "The Politics of the Political/Humanitarian Divide," ICRC, accessed 27 September 2010, http://www.icrc.org/web/eng/siteeng0.nsf/html/57JPT3.

Organizations in Hostile or Potentially Hostile Environments. [195] This resource provides concrete guidance for both humanitarian and military personnel in order to maintain the critical distinction between military operations and impartial humanitarian programs.

Division of Labor

While military actors may be well placed to deliver some types of aid in times of conflict, it is nevertheless important for all actors to consider where their comparative advantage lies. Disputes often arises between humanitarian and military actors when military actors seek to undertake aid projects without reference to good humanitarian practices or standards, and without reference to the humanitarian activities and priorities already underway in the area.

Humanitarian action is a profession in the same way that military service is a profession. Good will is not a sufficient qualification and the hard lessons learned by humanitarian and development organizations – particularly over the past twenty years – such as how to limit the manipulation of aid and prevent aid projects from fermenting conflict between communities, will not necessarily be obvious to military actors untrained in humanitarian practice and principles. Conversely, security analysis, physical protection strategies, and the development of local military capacities are better done by professional soldiers than by civilian humanitarian staff.[196]

Refugee and IDP sites sit at the intersection of humanitarian crises and complex security concerns. In this context, it is critical and inevitable that military and humanitarian actors interact and cooperate in order to maximize protection, and minimize the threat of militarization. However, in order for all available experience and expertise to be brought to bear, military and humanitarian actors must establish a rational division of labor, and cooperation must begin with mutual professional respect.

VII – Conclusion

The militarization of refugee and IDP sites is the result of a complex interplay of political, security, and humanitarian factors. It has serious implications for the delivery of humanitarian aid, the day-to-day security of displaced civilians and the communities that host them, as well as for the perpetuation (or resolution) of the broader conflict that caused the displacement in the first place. Every effort needs to be made to both prevent and address ongoing militarization without compromising the right of refugees and IDPs to receive the lifesaving assistance that is delivered in the sites.

In terms of prevention, U.S. investment in bilateral and multilateral efforts to develop host-state security institutions, including military, police and border control officers, can go a long way towards preventing displacement, and controlling the movements of armed actors that would capitalize on displacement sites as a source of sustainment and refuge.

Improved coordination and understanding among the various protection and security actors is also critical to the prevention and management of militarization crises. The United States government

[195] "Guidelines for Relations Between US Armed Forces and NGHOs in Hostile or potentially Hostile Environments," accessed 27 September, 2010, http://www.usip.org/resources/guidelines-relations-between-us-armed-forces-and-nghos-hostile-or-potentially-hostile-envi.

[196] Ron Capps, *Drawing on the Full Strength of America: Capacity in U.S. Foreign Affairs,"* (Washington DC: Refugees International, 2009).

has tremendous political, military, developmental and humanitarian resources at its disposal. These are often deployed simultaneously in conflict affected environments, and as such, it is critical that the programs and objectives of these disparate actors be coordinated to the fullest possible extent, to ensure that U.S. resources are not working at cross purposes, or inadvertently feeding into militarization and the cycle of conflict.

The militarization of refugee and IDP sites is best addressed through such coordination, but with the clear objective of neither duplicating nor cannibalizing actions. That is to say, such a complex and localized issue necessitates a concerted effort from a variety of actors that understand and respect each other's mandates.

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SECTION SEVEN:
SECURITY SECTOR REFORM IN AFRICA

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Introduction

Security sector reform (SSR) is increasingly recognized as a key contribution to promoting peace and development in Africa. SSR can help to address both old and new security challenges from conflicts with regional dynamics to trafficking in commodities, weapons and people. In particular, SSR has as its goal to address deep rooted cleavages between executive authorities, security actors and citizens that have been highly damaging in a number of African settings. Promoting efforts to ensure that the security sector is more effective and efficient within a framework of democratic governance therefore constitutes an agenda that is relevant across all national contexts.

Africa continues to be a major arena for internationally-supported SSR programs. This is particularly evident in post-conflict contexts where SSR is an increasingly prominent element of wider post-conflict peacebuilding efforts. However, international engagement in SSR highlights an inherent tension between intervention and ownership. In part as a result of the Anglo-Saxon roots associated with the concept, SSR is viewed with suspicion by some states. In Africa, SSR is welcomed in some quarters whereas in others it resonates with the imposition of Western values, methods and approaches in the most sensitive area of public policy.

SSR can be an extremely sensitive process both within states and in particular where national-level reform efforts are supported by the wider international community. In order to mitigate the different sensitivities surrounding SSR, it is fundamentally important to recognize that SSR not only comprises 'technical' activities but influences change in the national security discourse and is inseparable from wider political transitions. SSR creates 'winners and losers' and this reality (which is inherently context-specific) must be addressed in every reform program. It is therefore critical to tailor SSR support closely to national political, security, socio-economic and cultural realities. Consequently, there are no blueprint solutions for addressing complex, sensitive SSR challenges in Africa.

The purpose of this 'think piece' is both modest and practical. It begins by identifying key SSR principles, objectives and approaches and how these relate to African reform contexts. The subsequent two sections outline important considerations for policy frameworks and programs to support SSR in Africa. The think piece concludes with a number of recommendations to advance an SSR agenda in Africa that acknowledges the political nature of this work, embraces people-centered approaches to security and seeks to narrow gaps between national actors and international SSR support through productive partnerships. Within the text, brief case study boxes are used to illustrate key points. A number of useful online resources are provided in Annex A.

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The Security Sector Reform Concept and African Contexts

SSR and Related Terms

From its origins within international development policy circles in the late 1990s, the SSR concept has demonstrated its relevance in relation to the work of development, democracy promotion and security communities. While the concept remains contested in terms of its scope and content, a consensus has emerged among many bilateral actors, international organizations and individual experts on an SSR approach that emphasizes the need for *the effective and efficient provision of state and human security within a framework of democratic governance.*[198] This agenda is holistic in a double sense. First, security provision, management and oversight are recognized as intrinsically related. This linkage is intended to safeguard against efforts to improve the effectiveness of armed and security forces not subject to democratic control. This caveat is essential because security assistance conceived narrowly as technical support for the military or other security bodies has in some cases been simply rebranded as 'SSR'. Such activities are not consistent with the SSR approach and may in fact contribute to insecurity. And second, SSR emphasizes the need to integrate partial reforms, such as defense and police reform, which have previously been conducted as separate efforts.

Security sector governance (SSG) provides a key companion concept to SSR. As reflected in Table 1 below, a governance-driven perspective points to the wide array of public and private actors at local, national, regional and international levels that need to be engaged to ensure the legitimacy and sustainability of SSR. A governance-based understanding of the security sector is particularly important in order to highlight the fragmented nature of security and justice provision, management and oversight. On the one hand, in many African settings security is delivered by a range of armed non state actors – from community groups to private military and security companies (PMSCs). On the other, parliaments, various statutory oversight bodies and civil society should play a critical role in providing oversight and expertise to shape government security policy and practice.

Evidence shows that sector-specific reforms will only take root if situated within a framework of democratic oversight and accountability. There is thus a need to map out and take into account within SSR processes the dynamic political environments within which activities are situated. This think piece therefore underlines an approach to SSR that situates reforms as part of wider efforts to enhance democratic security sector governance.

[198] Heiner Hänggi, 'Security Sector Reform' in Vincent Chetail (ed.) *Post-Conflict Peacebuilding – A Lexicon*, Oxford: Oxford University Press, 2009, p.337.

Table 1[199]

Core Security Actors, Including Law Enforcement Institutions
Armed forces, police, gendarmeries, paramilitary forces, presidential guards, intelligence and security services, coast guards, border guards, customs authorities and reserve and local security units.
Security Management and Oversight Bodies
Parliament/legislature and its relevant legislative committees; government/the executive, including ministries of defence, internal affairs and foreign affairs; national security advisory bodies; customary and traditional authorities; financial management bodies; and civil society actors, including the media, academia and NGOs.
Justice Institutions
Justice ministries; prisons; criminal investigation and prosecution services; the judiciary (courts and tribunals); implementation justice services (bailiffs and ushers); other customary and traditional justice systems; human rights commissions and ombudsmen; etc.
Non-Statutory Security Forces
Liberation armies, guerrilla armies, private body-guard units, private security companies, political party militias.

In post-conflict contexts, it is necessary to integrate SSR within the broader framework of post-conflict peacebuilding. This argues for the development of synergies between SSR and closely related issues such as transitional justice, disarmament, demobilization and reintegration (DDR) of former combatants[200] and small arms and light weapons control. It also reinforces the need to mainstream cross-cutting issues such as gender equality, children's' rights, conflict prevention and human rights issues. Relatedly, security and justice reforms are regarded as parallel, mutually reinforcing processes.

African knowledge and experience has contributed much to the evolution of the SSR concept. Lessons from diverse African transition processes have injected key messages into the mainstream SSR discourse. Although security sector *reform* has become the dominant discourse, a number of related concepts such as security sector development, management, reconstruction and transformation have emerged to emphasize a particular type of context or approach. Influenced by the South African experience where the insecurity and injustice caused by apartheid necessitated a comprehensive dismantling of the governance framework that supported the apartheid system, many African scholars use security sector *transformation* (SST) to stress the need for a fundamental shift in security planning and provision (see Box 1). At the heart of SST is the need to alter the culture, values and character of security actors. This reflects the dynamic in many African settings of long standing relationships of mutual dependence between security actors and executive authorities. SST should not be understood as a distinct or competing concept to SSR. Rather it draws on the challenging realities of different African political trajectories – from military dictatorship, to long-term authoritarian rule or armed conflict – to underline the context-specific difficulties of implementing SSR in Africa.

[199] OECD DAC (2004), *Security System Reform and Governance*, DAC Guidelines and Reference Series, Paris: OECD DAC, pp. 20-21.

[200] See: Alan Bryden, 'Understanding the DDR-SSR Nexus: Building Sustainable Peace in Africa', written for the 2nd International Conference on DDR and Stability, Kinshasa, 12-14 June 2007; available at: www.dcaf.ch/publications/kms/details.cfm?lng=en&id=34308&nav1=4

Box 1: Human Security, Participation and SSR in South Africa[201]

After the collapse of the Apartheid regime in South Africa, the African National Congress (ANC) government that came into power following the country's first democratic, fully participative elections in 1994 enacted a paradigm shift in policy and practice at the national level. Reforming the security sector, as the central instrument of repression during the Apartheid era, represents a central element of South Africa's transformation from a state embodying regime security as its raison d'être to one founded on the human security of its citizens.

The South African defense review process began in 1994 and produced a White Paper (1996), Defense Review (1998) and Defense Act (2002). The process was marked throughout by a strong commitment to consultation within government and the security community and, in particular, across a broad range of civil society actors including NGOs, academics, businesses and communities. The drafting committee for the development of the White Paper, led by a well-known researcher and activist, included senior members of the South African National Defense Force (SANDF) and the civilian Defense Secretariat. Hotly-debated rounds of drafting saw disputes resolved through discussion and, where necessary, reference to international expert opinion. The draft revised as a result of public consultations was presented to the Parliamentary Defense Committee where a commitment to consensus proved decisive in shaping a final version that secured a delicate balance between technical realism, constitutionality, core values and priorities. The Defense White Paper provided a vital launch pad for subsequent elements of the defense review process.

The principles characterizing South Africa's Defense Review process and the White Paper that underpinned it included: respect for national and international law; transparency; subordination to parliament and the executive; political neutrality and non-discrimination; promotion of regional and international security; and respect for the human rights of armed forces personnel. National security was defined as a means to secure the rights and needs of South Africa's people. The South African experience is particularly instructive for other African reform contexts as a result of the way that these key principles were embedded in a process-based approach. This ensured that specific measures reinforced the transformation of the ministry of defense and national defense forces as entities that were integrated and cohesive at cultural, political and organizational levels.

Signposts and Indicators

A number of signposts are indicative of a reforming trend in the governance of a state's security sector. This is particularly important because the norms of democratic governance which may be identified and promulgated at international and regional and levels can only be operationalized through sustainable, participative reform processes at the national level. Fostering synergies between state authorities, the security sector and citizens is therefore critical to the effective implementation of SSR.

Perhaps the most visible sign of an emerging SSR process is a government's stated commitment to reform by garnering the political will necessary to engage in significant transformation of the security sector. Committing to a participative reform process that engages with a wide range of non-governmental actors beyond 'the state' is thus an important signpost for the sustainability and legitimacy of reforms. However, political will enhances perception rather than reality. A number of other factors providing clear entry points for engagement between governmental and non-governmental actors constitute relevant criteria for reform:

- an unambiguous statement of the key principles that will guide the management of the security forces. Such principles would often outline, for example, the roles and responsibilities of political actors, including the role of parliament and other oversight

[201] This box draws on two sources: Nathan, L. (2007) *No Ownership, No Commitment: A Guide to Local Ownership of Security Sector Reform*, (University of Birmingham); and Williams, R. 'Human Security and the Transformation of the South African National Security Environment from 1990-2004', *Journal of Security Sector Management*, March 2005 (GFN-SSR, Shrivenham).

functions by government, the roles and tasks envisaged for each security agency and the broad democratic principles to which the security forces should adhere.

- a clear security policy, defined as early as possible in the reform process. This generally includes policy statements, strategic defense and security reviews, concept documents, and transformation strategies. Where this is absent, new policy should be outlined.
- a framework within which the relationship between the security forces and the civil authorities can be both articulated and managed. Political, public, bureaucratic and personal factors are critically important in the formulation and implementation of policy. It is equally important that the policy environment is transparent and participatory, and that leaders at all levels are accountable.
- a reform agenda and process that is locally owned and driven. This is particularly relevant in situations where the reform program is largely supported from external sources.

After establishing the framework and principles, the following indicators more clearly demonstrate commitment and progress in SSR:

- Building capacity among parliamentary defense and security committees and other civil management and oversight actors such as the ministry of finance, the office of the auditor general, and the ministry of defense;
- Managing critical human resource issues confronting the security forces, such as downsizing, institution of equity programs in the recruitment and promotion policies of the various security forces and transformation of the leadership, command and management culture of those forces;
- Reprofessionalizing the security forces, including the separation of specialist civil policing and external defense functions and reorienting the intelligence services to protect the state and its population rather than political elites;
- Preparing the security forces for new roles and tasks such as peace missions, military aid to the civil community, or combating transnational crime;
- Creating opportunities for meaningful input through public consultation processes; and
- In post-conflict contexts, support the incorporation of SSR into wider policy frameworks (e.g. poverty reduction strategies).

SSR Policy-Practice Gaps in Africa

The SSR discourse is currently going through a much needed phase of consolidation in terms of policy formulation and its relationship to SSR programming. The European Union, Organization for Economic Cooperation and Development's Development Assistance Committee (OECD DAC), United Nations as well as a number of bilateral actors have established new policy frameworks for SSR. Significantly, the continental organization, the African Union (AU), as well as regional organizations such as the Economic Community of West African States (ECOWAS), are also elaborating, norms, standards and policies in this field. The development of new normative frameworks to support SSR and promote democratic security sector governance offer opportunities to influence behavior change on the ground. ECOWAS has developed two complementary initiatives – the ECOWAS Conflict Prevention Framework and the Code of Conduct for Armed and Security Forces – which set standards relating to national level implementation of SSR. These documents gain political authority once endorsed by Member States, thus offering an important entry point to support implementation at the national level. Moreover, normative frameworks have

been particularly useful in serving as a pressure point from the point of view of local actors in states where the space for expression and activism remains limited.

Policy frameworks go some way to meeting the need for a common language on SSR. There is much shared ground across actors and institutions endorsing a broad approach to SSR as outlined above. However, on the ground SSR is often applied much more narrowly than this agenda would imply. For example, international efforts often focus on police and military reform at the expense of promoting democratic oversight and accountability or wider efforts to support the rule of law. This section analyses the challenges of this significant policy-practice gap in three areas: *reconciling state and human security*; *operationalizing local ownership*; and, *working behind a national vision*.

Reconciling State and Human Security

At the heart of the SSR agenda is the need to promote people-centered approaches to security. Too often SSR tends to be confined to 'institutional reform' of the state security sector as opposed to a focus on how individuals and communities experience security and justice. In other words, the human dimension of SSR tends to get lost. There is therefore a need to reflect the reality that in many African contexts security and justice is provided by a wide range of non-state actors when the state is unwilling or unable to fulfill this role (see Box 2).

Box 2: Public Perceptions of Security in Liberia and Sierra Leone[202]

Analysis of how people deal with insecurity in post-conflict Liberia and Sierra Leone provides important insights to the relationship between state and non-state security provision. Common to both cases is that ordinary citizens suffered at the hands of government and opposition forces during periods of civil war as well as enduring high levels of continued violence and criminality in the aftermath of armed conflict. Both countries receive significant international support for SSR while Liberia benefits from the continued presence of a UN peacekeeping force. A lack of state policing capacity in both contexts and the security vacuum resulting from the withdrawal of UN forces in Sierra Leone led to the burgeoning of community based watch teams as well as private security companies used by wealthier citizens. Current SSR efforts that focus squarely on reinforcing state security structures do not address this de facto reliance on non-state security providers. This suggests that national level SSR programs which build synergies between state and non-state security providers will offer greater returns in terms of the security of individuals and communities while reducing the dependency on international support over the longer term.

If SSR policy frameworks emphasizing a shift from a purely state to a human security approach are to be realized, changes to how effectiveness is measured and the range of actors we consider as part of the security sector must be adopted. Successful SSR improves the level of security experienced by people. Placing individuals at the centre of an SSR process permits a better assessment of the security situation in a given context through addressing the different security needs and perceptions of women and men, boys and girls. It may be particularly important to understand how security is experienced in urban areas (where the reach of the state is likely to be more evident) when compared to rural settings.

There is no state monopoly of force in many African states. Indeed, the state security sector has in many cases served as a prop to regime security and posed a risk to the security of citizens, undermining the legitimacy of these organizations. Informal or other non-state security and justice systems may thus represent the only forces of security (but may also be agents of insecurity) for ordinary people. Close contextual analysis of a given reform setting is therefore critical in order to understand the relationship between state and non-state security actors and thus to identify ways to

[202] Adapted from: Judy Smith-Hohn, 'Transformation through Participation: Public Perceptions in Liberia and Sierra Leone', in Alan Bryden and 'Funmi Olonisakin (eds) *Security Sector Transformation in Africa* (Munster, Lit Verlag, 2010).

enhance the security of individuals and communities. In certain contexts, building synergies between state and non-state security providers may therefore provide the most effective means to support sustainable SSR.

Operationalizing Local Ownership

In order to address inadequacies in externally-driven SSR programs, local ownership,[203] resting on a high level of meaningful participation by domestic stakeholders, should be the bedrock of sustainable SSR programs in Africa. The principle of local ownership in SSR has in some cases been understood to mean that there must be a high level of domestic political support for donor activities. This logic should be reversed: what is required is not local support for donor programs and projects but rather donor support for the programs and projects initiated by local state or community actors. This means that the partner country leadership in defining programs that are developed, managed and implemented by domestic actors would be facilitated or encouraged by donor governments. Donor country development agencies and SSR specialists would not 'implement' SSR; rather, in response to partner country leadership or demand, donor countries would adopt advisory or mentoring roles and catalyze partner country efforts to address the organizational change and political challenges central to SSR.

A key plank of local ownership is the fostering of national capacities for security provision, management and oversight. Weak line ministries and an absence of parliamentary or civil society oversight risk to create 'self-governed' security institutions that reinforce corporatist behavior, representing a potential threat to stability and democracy. The interrelated political and technical dimensions of SSR are apparent. On a technical level, there is a need to target the development of human resource, financial and general management capacities. Yet at the same time political space must be generated for parliamentarians, the media and civil society to fulfill legitimate oversight functions. This is an essential prerequisite to allaying fears and building public confidence in a reform process.

Some analysts point out that such an approach is complicated and potentially counter-productive due to i) a lack of democracy in certain partner countries, which calls the legitimacy of local ownership into question, ii) the absence of political leadership which makes local ownership improbable or iii) capacity gaps, which make local ownership unmanageable. However, as complicated and challenging as it may be, this is the approach that principles of aid and development effectiveness call for and offers the only opportunity for sustainable reform efforts. The state must not be bypassed or shadowed, but enhanced and legitimized, while the relationship of state and society with respect to security and justice evolves in ways that are defined and owned by and within national governance processes.

Working Behind a National Vision

A major challenge to promoting SSR is the absence of a discourse on security issues in many African contexts. This phenomenon has multiple dimensions. First, while SSR has achieved considerable prominence across the wider international community, it has gained less traction within African states. Looking beyond an unsurprising reluctance on the part of political and security elites to promote greater transparency and oversight over national security issues, this translates to a lack of

[203] For the state of the art on the concept of local ownership see: Donais, T. (2008) Local Ownership and security sector Reform (Munster: LIT Verlag) and Nathan, L. (2007) *No Ownership, No Commitment: A Guide to Local Ownership of Security Sector Reform* (University of Birmingham).

focus on the security sector among the media and civil society more broadly. Relatedly, while considerable emphasis is placed on the professionalization of security providers, much less attention is given to building the capacity of statutory and non-statutory actors responsible for security sector oversight. Finally, gaps in both political will and knowledge of security issues are exacerbated by a lack of political space for engagement. Security remains a 'sacred cow' of executives and security establishments resulting in an absence of participation in security issues. This is shown by a limited engagement by civil society organizations in SSR at the national level and a deficient oversight role in this area by parliaments, regardless of formal mandates, roles and responsibilities.

In order to avoid the risk of cosmetic changes through building a critical mass in favor of reform, institutional reforms need to be accompanied by more systemic changes in security sector governance. In contexts as diverse as Mali, Sierra Leone and South Africa, participative national dialogue processes between government, security forces and civil society actors have created important dynamics for change resulting in confidence building as well as providing the basis for a new national vision of security. Ensuring that the resulting insights from these processes form the basis of a national security or sector specific strategy provides legitimacy and concrete knowledge as well as a clear medium-to-long term SSR vision.

Consultative processes are essential in order to engage reform-minded elements within the security sector. Dialogue about pernicious practices such as promotions based on patronage, poor terms and conditions or mistreatment of veterans can help channel legitimate concerns and build a broad coalition of support for change. These are crucial steps in addressing the legacies of past abuse through re-forging links of trust between citizens and security providers. In such contexts, SSR may be closely linked to processes and mechanisms of transitional justice. National dialogue processes also demonstrate the central role that parliaments can play in binding disparate efforts within a broader national framework. Parliaments can play influential roles in reframing the legal framework to deliver a new national vision of security.

In-depth knowledge of a given reform context is identified as a key requirement if international actors are to avoid exacerbating domestic divisions and capitalize on opportunities to put SSR on the national agenda. Taking security, political and economic framing conditions into account is critical if appropriate entry points for SSR are to be identified. Donor supported reform programs need to fit within such a common vision for SSR established by the government, based on a broad consultative process. This vision should support prioritization and sequencing of reforms as well as enabling different groups within society to buy into the reform process.

SSR Programs in Africa

Many international actors have made long-term commitments to supporting security and development in Africa. This section focuses on ways to support partnerships in SSR programming that complement locally, nationally and regionally driven SSR processes. Possible measures to embed SSR good practice in programming support are identified as are means to support nationally driven SSR processes.

Partnerships and the SSR Programming Cycle

Comprehensive and exhaustive SSR assessment missions are a vital prerequisite to coherent SSR programming. Greater effort is required to ensure that the composition of assessment teams comprises the range of necessary expertise. Regional knowledge and local language skills are at a particular premium. For more general assessments, knowledge of the political and integrated nature

of an SSR process may be more valuable than sector-specific expertise. Equally, assessment missions need to take the time to gauge the reality on the ground. To date the criteria for SSR assessment missions tend to focus on what to do. While this is necessary, the option of doing nothing in certain specified circumstances also need to be part of assessment criteria (in line with the 'do no harm' principle).

Program design needs to address how international support can best be aligned to national SSR processes (and thus avoid harmful gaps between expectations and resulting activities). An SSR vision document can provide a solid entry point for political dialogue between donors and national authorities and thus form a basis on which SSR benchmarks can be developed. It is important that such agreements are developed in a transparent manner that does not bypass national security sector oversight bodies.

In line with the Paris Declaration on Aid Effectiveness, there is a need for concerted effort to align international SSR programming to national processes. DCAF's International Security Sector Advisory Team (ISSAT) is one example of bilateral donors and multilateral organizations coming together to support SSR programming in a joined up manner.

Beyond its specific activities, greater coherence is generated through a transparent approach to mission planning and implementation as well as an emphasis on multi-donor engagement.[204]

At the national level, alignment has been taken forward through the development of specialized joint working committees on sectors such as police, justice and defense. SSR clearing-house mechanisms developed jointly between donor governments and national authorities are emerging to support more coherent approaches to program implementation (see Box 3).

Box 3: Strengthening SSR Coordination in Burundi

In Burundi, the large number of international actors engaged in supporting SSR led to coordination challenges. In 2006, the DDR/SSR unit of the United Nations Operation in Burundi (ONUB) recognized the need to improve coordination and identified as a first step the importance of gaining an overview of relevant actors and activities. This was done by mapping current and planned SSR support by international actors in order to minimize overlaps and identify gaps. The mapping was divided by categories of support and included applicable implementation timelines. Results were regularly distributed to the wider international community. Several bilateral actors recognized the value of this initiative and highlighted that the unit had a comparative advantage in fulfilling this role because it had the human resources necessary to undertake such efforts.[205] While coordination challenges among such a large number of actors are inevitable, ONUB's efforts have contributed to a more structured dialogue on these issues within the international community in Burundi, thus leading to more meaningful dialogue with national authorities.

Finally, monitoring and evaluation provides an important entry point to review SSR programs and ensure individual activities are being implemented in a mutually supportive manner. Mid-term

[204] ISSAT activity areas include advisory field support, operational guidance development, training and knowledge services. Current members include: Austria, Belgium, Canada, Estonia, Finland, France, Germany, Ireland, The Netherlands, Norway, Slovakia, Sweden, Switzerland and the UK as well as the European Commission, The Council of the European Union, the OECD DAC Secretariat, the United Nations Development Programme (UNDP), the United Nations Department for Political Affairs (DPA) and the United Nations Department for Peacekeeping Operations (DPKO). See: www.dcaf.ch/issat

[205] See Laurent Banal and Vincenza Scherrer, 'ONUB and the Importance of Local Ownership: The Case of Burundi' in Security Sector Reform and UN Integrated Missions: Experience from Burundi, the Democratic Republic of Congo, Haiti, and Kosovo, eds. H. Hänggi & V. Scherrer, Lit Verlag, 2008.

reviews are increasingly recognized as a significant mechanism to assess impact, identify unintended consequences and undertake course corrections.

Improving International Support to National SSR Efforts

The acknowledgement that SSR is first and foremost a political process has not in all cases transformed into equipping SSR staff with better political understanding. A major gap lies in the non-availability of empirically-grounded case study evidence from SSR interventions which can contextualize and reality-check policy prescriptions and emerging good practices. There is an across the board need for relevant, timely and accurate knowledge capture of different African contexts. Mapping relevant (state and non-state) security actors, management and oversight bodies is essential to situate programs within their context. Moreover the absence of mechanisms to preserve institutional memory means that knowledge resides in individuals and can therefore be easily lost. This constrains the ability to learn from past experience. New initiatives to develop SSR communities of practice[206] represent one means to identify and preserve field-based good practice.

Appropriate training for SSR policy makers and practitioners is essential. Due attention to local ownership requires that international support reinforces the ability of national actors to take responsibility for their own security provision, management and oversight. A mentoring approach necessary to supporting national capacity building places particular emphasis on skills transfer. Thus, beyond sector-specific activities, enhancing the integrity of security institutions through fostering line management, human resource and financial management capacities is particularly important. Initiatives to standardize SSR training and make it more readily accessible provide another avenue to reinforce the capacities of policy makers and practitioners. A specialized SSR training network, the Association for SSR Education and Training (ASSET)[207] has emerged in order to develop a coordinated approach to SSR training and capacity development. Significantly, this body links training organizations from North and South, thus permitting the pooling of knowledge from different regions.

Many SSR interventions suffer from the criticism that they adopt a 'cookie cutter' approach based on experience drawn from different environments. However, there is a growing recognition of the need to embed local political, security and socio-economic realities in policy and programming decisions. Transnational civil-society-based expert groups have become increasingly important actors in supporting post-conflict and democratic transitions in Africa and can help support this goal. A major development is the increased *networking* of actors and capacities. This means that both national authorities and the wider international community can draw much more readily on national and regional expertise, facilitating the context-specific approach that is so crucial to successful SSR. This resource should be utilised much more by bilateral donors and multilateral organisations in this field. There is no longer any excuse for these capacities falling under the radar screen of larger institutions. Different examples include the African Security Sector Network (ASSN),[208] the Global Consortium

[206] See: www.dcaf.ch/issat

[207] The Association for SSR Training and Education (ASSET) is a professional association of education and training organizations that supports the development of SSR capacity within governments, donors, security sector institutions, parliaments, civil society and international / regional organizations. Its membership spans the Americas, Africa, Asia, Europe and the Middle East. See: www.asset-ssr.org

[208] See: www.africansecuritynetwork.org

on Security Transformation,[209] and the alumni network of the Africa Center for Strategic Studies (ACSS).[210] African led networks such as the ASSN can offer input to policy processes, facilitation of national dialogue, and expert support. Utilizing these networks in support of international SSR efforts provides an important means to access African knowledge and expertise. Particularly significant is the South-South approach that underpins the ASSN network and methodology. Leveraging experience from within and across different regions of Africa provides a compelling dynamic to support behavior change in different contexts.

Conclusion

Understanding opportunities to better support SSR in Africa is important on a number of levels. The development of the SSR discourse has owed much to African expertise and practical experience. Moreover, if Africa has and continues to be a major theatre for internationally supported SSR, evidence suggests that the impact of this effort has been limited in terms of matching support to professionalization with a commensurate focus on enhancing oversight and accountability of the security sector.[211] With a particular emphasis on the need for synergies and partnerships between state and non-state actors, this think piece therefore concludes by proposing a number of recommendations in support of legitimate, sustainable security sector reform processes in Africa.

Recommendations

- Reinforcing **security sector governance** institutions and actors will contribute to more meaningful national ownership of, commitment to and confidence in SSR processes. Increased support for the security sector oversight roles of parliaments, the media and civil society organisations can help to work through historically-rooted cleavages between executive authorities, security actors and citizens.
- Paying due respect to **context** may imply fundamentally changing the frame of reference for internationally supported SSR programmes. This means moving beyond a focus on the state in a narrow sense to addressing relevant actors at regional, state and sub-state levels and acknowledging this in programming. Mapping relevant (national and international) actors in a given context is an important point of departure. Local knowledge and language skills are essential in order to build an appreciation of domestic political dynamics surrounding SSR.
- The policy imperative of **local ownership** needs to be translated into strategies and methods to support SSR processes that are rooted in the local context. Adopting a long-term approach is vital. This means that the process of building a genuine national vision should underpin specific SSR efforts. Close involvement of parliaments and civil society is critical to building consensus on security issues.
- Acknowledging the important security roles played by different **non-state actors** across Africa is essential in order to improve the human security of individuals and communities. Rather than defaulting to efforts that seek to reinforce state structures, synergies should be developed between state and non-state security providers.

[209] See: www.securitytransformation.org

[210] See: www.africacenter.org

[211] Nicole Ball, Piet Biesheuvel, Tom Hamilton-Bailie and 'Funmi Olonisakin (2007), 'Security and Justice Sector Reform Programmes in Africa', *Evaluation Working Paper 23*, UK Department for International Development, London.

- An under-emphasised approach is that of reinforcing **regionally-driven SSR** and thus the need to effectively support regional/sub-regional organizations. Regionally driven SSR offers important opportunities to address regional patterns to insecurity and generates opportunities to promote common approaches and values across borders. The influence of expert communities in shaping these frameworks points to a link between norm-setting at the regional level and national level implementation. Regional norms and policy frameworks are important in providing tools to support initiatives by governments, parliaments, civil society actors, donors etc across the region.
- **Capacity building** is an essential component of sustainable, legitimate SSR. Such an approach highlights relevant skills for international support sets that may not have been prioritised in the past (human resources, financial and line management) but also pedagogical skills, emphasizing the need for trainers. It also places a premium on building the capacity of national actors for security provision, management and oversight.
- An emerging **SSR community of practice** with a strong African civil society component has already played an important role in SSR policy development. This capacity should be more consistently engaged across SSR assessments, program design, implementation, monitoring and evaluation. Links should be institutionalized with African expert networks in order to draw more readily on this resource base.

Key Online Resources[212]

Albrecht, P. & Jackson, P. (eds.) *Security Sector Reform in Sierra Leone 1997-2007: Views from the Front Line*, Lit Verlag, Munster (2010).

Ball, N., Fayemi, K., Olonisakin, F., and Williams, R. *Security Sector Governance in Africa: A Handbook* Centre for Democracy and Development, Lagos (2004).

Born, H. & Schnabel, A. (eds.) *Security Sector Reform in Challenging Environments*, Lit Verlag, Munster (2009).

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Fitzgerald, A.M. & Lala, A. *Networking the Networks: Supporting Regional Peace and Security Agendas in Africa* (2004). Available at: www.ssronline.org/edocs/gfn024_network_networks.pdf

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OECD DAC, *OECD DAC Handbook on Security System Reform, Supporting Security and Justice* (Paris: OECD DAC, 2007). Available at: www.oecd.org/dataoecd/43/25/38406485.pdf

[212] Unless specified, all resources are Available at: www.dcaf.ch/publications/.

Nathan, L. *No Ownership, No Commitment; A Guide to Local Ownership of Security Sector Reform*, 2nd ed. (Birmingham: University of Birmingham, 2007). Available at: www.ssrnetwork.net/publications/no_ownersh.php

Smith-Höhn, J. *Challenges to Rebuilding the Security Sector in Post-Conflict Societies: Perceptions from Urban Liberia and Sierra Leone*, Lit Verlag, Munster (2010).

Rocky Williams, 'African Armed Forces and the Challenges of Security Sector Transformation', *Journal of Security Sector Management*, March 2005. Available at: www.ssronline.org/jofssm/jofssm_archive.cfm

United Nations Report of the Secretary-General, 'Securing Peace and Development: the Role of the United Nations in Supporting Security Sector Reform', S/2008/39, 23 January 2008. Available at: www.dcaf.ch/issat/_docs/UNSG_Report_SSR.pdf